

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4382 of 2020**

- Kirtilal Patel, Son of Shri Usatram Patel, aged about 53 years, R/o Village Dhupendih, Tahsil Basna, Police Station Basna, Civil and Revenue District Mahasamund Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through- Station House Officer, Police Station Basna, Civil and Revenue District Mahasamund Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Sunil Verma, Advocate.
For Respondent/State	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.08.2020**

1. The applicant has filed this first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 272/2020 registered at Police Station Basna, Civil and Revenue District Mahasamund (C.G.) for the offence punishable under Sections 9, 51, 50(B), 50(A), 39(1)(B), 20 of Wildlife Protection Act and Section 34 of the IPC.
2. The allegation against the present applicant, as per the prosecution case is that he along with co-accused had kept a pangolin worth of Rs. 5,00,000/- in one omni van bearing registration No. CG 22 K 1557 for sale. Based on that, after investigation, offence has been registered and he has been arrested.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question because he was not involved in any such incident. He next submits that the present applicant was not present in the said Omni Van, he was just riding his motorcycle beside that van. He also added that, the applicant is in jail since 16.06.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.
4. On the other hand, State counsel strongly opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, as applicant is in jail since 16.06.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge