

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5857 of 2020**

- Govinda Bariha S/o Shoukilal Bariha Aged About 35 Years R/o Village Tedgidipa Pirda, Thana Saliha, District- Baloda Bazaar Chhattisgarh.

**---- Applicant****Versus**

- State of Chhattisgarh Through P.S. - Basna, District Mahasamund Chhattisgarh.

**---- Respondent**


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| For Applicant | : | Shri J.K. Gupta, Advocate   |
| For State     | : | Shri Dinesh Tiwari, Dy.G.A. |

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**Hon'ble Shri Justice Manindra Mohan Shrivastava****Order On Board****05/11/2020**

1. Heard on application for grant of bail.
2. The applicant has been arrested on 14.06.2020, on the allegation of having committed offence under Sections 9, 51, 50(B), 50(A), 39(1)(B) & 20 of Wildlife (Protection) Act, 1972 & 34 of I.P.C. He moved this application for grant of bail in connection with Crime No.272/2020 registered at Police Station- Basna, District- Mahasamund (C.G.).
3. Prosecution case is that the present applicant along with two other co-accused carrying alive Penguin in the Omni van and after getting information from the informant police seized the Penguin from them and arrested all the three accused.
4. 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 is in jail since 14.06.2020 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.

5. On the other hand, State counsel strongly opposes the bail application.
6. I have heard learned counsel for the parties and perused the record.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, as applicant is in jail since 14.06.2020 and the trial is likely to take sometime 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.
8. Accordingly, the bail application is allowed. It is directed that the applicant shall be released on bail, on his furnishing a personal bond in the sum of Rs.50,000/- with two local sureties for the like amount to the satisfaction of the Trial Court on the condition that-
  - a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
  - b) The applicant shall not in any manner, tamper with the prosecution witnesses.

Certified copy as per rules.

**Sd/-**  
**(Manindra Mohan Shrivastava)**  
**Judge**