

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7573 of 2019

- Shabbir Ali S/o Late Shri Akbar Ali Aged About 40 Years R/o Near Lalu Kirana Stores, Chuna Bhatthi Police Station Ganj, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

 For Applicant : Shri Pragalbh Sharma, Advocate
 For Respondent/State : Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey
Order On Board

02.01.2020

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.534/2019, registered at Police Station Civil Line, Raipur(CG) for the offence punishable under Sections 9, 49, 51 of the Wild Life (Protection) Act, 1972.
3. As per the case of prosecution, the applicant along with other co-accused persons was carrying cubs of leopard (captive animal) in a bag kept in a cage on his motorcycle Suzuki Access bearing registration No. CG 04/MM 1645 with intention to smuggle them.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime and the applicant was not carrying the cubs with intention to smuggle them but he was carrying them

for himself to keep in his house. He submits that the applicant is in jail since 11.9.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the detention period of the applicant and further considering that there is no previous record of the applicant, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE