

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7693 of 2019**

- Mohan Singh Kanwar S/o Suklal Singh Aged About 32 Years, Cast Kanwar (Adivasi), R/o Village Garh Uproda, Tahsil And District Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Police Station Balko Nagar, District Korba Chhattisgarh.

---- Respondent

MCRC No. 7950 of 2019

- Jogiram Yadav S/o Dhansingh Yadav Aged About 60 Years, (Wrongly Mentioned As Dansingh Yadav In Order Sheet) R/o Village Sayng, Police Station Suang Lemru, Tahsil And District Korba, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station Balco Nagar, District Korba, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Vikash Pandey, Adv. in MCRC No. 7693/2019. Mr. Amit Singh, Adv. in MCRC No. 7950/2019.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23/01/2020**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 533/2019 registered at Police Station Balco Nagar, District-Korba (C.G.) against applicants for the offence punishable under Section 51 of Wild Life Protection Act.

3. The prosecution story, in brief is that, the information received by the informant that at Ajgar Bahar two persons having the elephant teeth and searching customer for the selling the same. On the basis of said information the panchnama proceeding has been initiated. The concerned police investigated the mater and seized 1 elephant teeth from the joint possession of the present applicants. Based on this, offence has been registered against the present applicants.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the applicants are in jail since 07.11.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the applicants are in jail since 07.11.2019, 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 applicants on bail. Accordingly, the applications are allowed.
8. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**