

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2278 of 2021**

Arun Kumar Nagwanshi S/o Bishauram Aged About 37 Years
R/o Mavalinagar, Thelkabod, Thana- Kanker, District- Uttar
Baster Kanker, Chhattisgarh.

--- Applicant

Versus

The State of Chhattisgarh through Police Station- Forest
Department, Kanker, District- Uttar Bastar. Kanker,
Chhattisgarh.

--- Respondent

For the applicant	: Mr. Parag Kotecha, Advocate.
For the Respondent	: Mr. Aditya Bharadwaj, Panel Lawyer.

MCRC No. 2788 of 2021

1. Harendra Kumar Sahu, s/o Shri Narad Ram Sahu Aged About
36 Years Mawalinagar, Thelkabod Kanker, Thana & Tahsil
Kanker, District - North Baster Kanker (C.G.)
2. Mansingh Mandavi S/o Shri Beersingh Mandavi Aged About
59 Years Mawalinagar, Thelkabod Kanker, Thana and Tahsil
Kanker, District - North Baster Kanker (C.G.)

--- Applicants

Versus

The State of Chhattisgarh through the Forest Officer, Forest
Region Kanker, District - North Baster Kanker (C.G.)

--- Respondent

For the applicants	:	Mr. Sunil Sahu, Advocate.
For the Respondent	:	Mr. Aditya Bharadwaj, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****13.07.2021**

1. These are first bail applications filed under Section 439 of
the Code of Criminal Procedure seeking grant of regular bail
to the applicants in connection with Crime/POR No. 12016/06

registered at Forest Region Kanker (C.G) for the offences punishable under Sections 2(20), 39(A)(B)(C) (3), 44(1)(A), 48(A), 49(B), 50, 51 & 52 of the Wild Life Protection Act, 1972. As both the bail applications are relating to the same crime number, they are decided by this common order.

2. As per the prosecution case, on a secret information having been received that the applicants are handling wild life scheduled animals and are dealing in purchasing and selling the same, a raid was conducted and from the possession of applicants Harendra Kumar Sahu & Mansingh Mandavi, body parts of the pangolin was recovered whereas in respect of Arun Kumar Nagwanshi it was alleged that he was handler of such products. According to the Forest Act, the Pangolin was an enlisted animal in Schedule-I Part-1 Entry No.28.
3. Learned counsel for the applicants submit that the FSL report does not support the fact that the body part is of Pangolin. They submit that only on presumption, the applicants have been arrested and from applicant Arun Nagwanshi no seizure has been made. It is further submitted that the applicants are in jail since 08.03.2021, charge sheet has been filed and no further investigation is necessary, therefore, they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail application.
5. Considering the fact that the charge sheet has been filed, no further investigation is necessary and the applicants are in jail since 08.03.2021, I am inclined to allow these bail applications.
6. Accordingly, the bail applications are allowed and the

applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**

Rao