

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 9146 of 2020

1. Loknath, S/o Shri Chamra Deewan, aged about 33 years, R/o Village – Pakrid, Thana – Rajadeori, District Baloudabazar-Bhatapara (C.G.)
2. Anuj Kumar, S/o Shri Hariram Kanvar, aged about 30 years, R/o Village-Charouda, Thana – Rajadeori, District Baloudabazar=Bhatapara (C.G.)

---- Applicants

Versus

- The State of Chhattisgarh, Through the Forest Officer, Forest Region Barnawapara, District Baloudabazar-Bhatapara (C.G.)

---- State/Non-applicant

For Applicants	:	Shri Sumit Shrivastava, Advocate
For Non-Applicant/State	:	Shri Ajay Kumrani, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

02.02.2021

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. as they are in jail since 24.10.2020 in connection with Crime/POR No. 1915/2004 registered in Forest Officer, Forest Region Barnawapara, District Balodabazar-Bhatapara (CG) for the offence punishable under Sections 2, 9, 27, 31 39, 44, 48-A, 50, 51 & 52 of Wild Life Protection Act.
2. Allegation against applicant Loknath is that flesh of *sambar* and bones were seized from his house and the allegation against applicant Anuj Kumar is that he purchased the said flesh from co-accused Anoop Deewan.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this crime, they are languishing in jail since 24.10.2020, and conclusion of the trial is likely to take some time. Therefore, the applicants be released on bail.
4. On the other hand, learned counsel for the State opposes the bail applications.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the detention period of the applicants and

conclusion of the trial is likely to take some time, and that there is no apprehension of the applicants tampering with the evidence or absconding and also they have no criminal antecedents as admitted by both the counsel, without expressing any opinion on merits of the case, the applications are allowed.

6. It is directed that in the event of each of the applicants executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-

- i. they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.
- ii. they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- iii. they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
- iv. they shall not involve themselves in any offence of similar nature in future or else this order granting bail to the applicants shall automatically stand cancelled without further reference to the Bench.

Sd/-
(Gautam Chourdiya)
Judge