

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9743 of 2021**

1. Ratan Paik S/o Ramani Paik Aged About 39 Years R/o Village P.V. 64, Shripur Pakhanjore, District Uttar Baster Kanker, Chhattisgarh
2. Gajju Netam S/o Kanuram Aged About 31 Years R/o Village Dotometa, Pakhanjore, District Uttar Baster Kanker, Chhattisgarh,

---- Applicants**Versus**

- The State Of Chhattisgarh Through District Magistrate, District U.B. Kanker, Chhattisgarh

---- Respondent

For Applicants	:-	Mr. Parag Kotecha, Advocate
For Respondent-State	:-	Mr. Afroj Khan, PL

Hon'ble Shri Justice Deepak Kumar Tiwari
Order On Board**21/12/2021**

1. The applicants have preferred this first bail application under Section 439 of the Cr.P.C. for grant of regular bail as they are arrested in connection with Forest crime No.13711/2021 registered in Police Station Forest Range, Kapsi Distt. U.B. Kanker, for the offence punishable under Sections 9, 39, 44, 49 and 51 of the Wild Life Protection Act, 1972 and Amended Act 1991 and Section 3 and 5 of Lok Sampati Shati Nivaran Adhiniyam.
2. Case of the prosecution, in brief, is that it was alleged that applicants

were carrying Trophy of Tiger in a polythene.

3. Learned counsel for the applicant submits that the present applicants are innocent person and have been falsely implicated. Applicants were arrested on 20.8.2021 and were also released on temporary bail due to COVID-19 pandemic up to 10.9.2021. While on temporary bail, the applicants have not misused the interim bail, therefore, they may be enlarged on bail.
4. *Per contra*, learned State counsel would oppose the prayer for grant of bail.
5. Considering the facts and circumstances of the case particularly considering the nature of allegation, period of detention and the offence is triable by JMFC, this Court is inclined to release the applicants on bail.
6. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.10,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Certified copy as per rules.

SD/-
(Deepak Kumar Tiwari)
Judge

Ayushi