CGHC010372692026 2026:CGHC:44117

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9058 of 2026

1 - Baburao Madavi S/o Raju Madavi Aged About 27 Years R/o Village Gadhaheri Tehsil Aheri, District Garhchirouli, (Maharastra)

2 - Biyeshwar Gedam S/o Vishnu Gedam Aged About 38 Years R/o Village Aheri Tehsil Aheri, District Garchirouli, Maharastra. **... Applicants**

versus

State Of Chhattisgarh Through- Forest Division Office Bande, District North Bastar Kanker C.G. **... Non-applicant**

For Applicants	**:**	Mr. Anukul Biswas, Advocate
For Non-Applicant/State	**:**	Mr. Aakash Agrawal, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

12/10/2026

1. This is the first bail application filed by the applicants under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail. The applicants are in custody in connection with Crime/POR No. 390/09 registered on 29.06.2026 by the Forest Division Office, Bande, District North Bastar Kanker (C.G.), for offences punishable under Sections 9, 35(6), 39, 40(2), 44(1)(a), 48(a), 49(A) 49(B),

50, 51(1)(a), 51(1)(c), 51(1)(d), 51(2), 52, and 57 of the Wild Life (Protection) Act, 1972.

2. The case of the prosecution, in brief, is that the forest authorities recovered 2 pieces of tiger skin, 13 claws/tails of tiger, 5.390 kg of pangolin scales, and one motorcycle from the joint possession of the present applicants. On the basis of said recovery, the complaint/case was registered against them.

3. Learned counsel appearing for the applicants submits that the applicants are innocent and have falsely been implicated in the crime. It is submitted that false seizure memos have been prepared by the forest officials and the applicants had no connection with the alleged contraband or wildlife articles. It is further contended that applicant No. 2 is a government servant serving in the Police Department, the investigation is complete, the complaint/charge-sheet has already been filed, and the applicants have been languishing in jail since 30.06.2026. Since the trial is likely to take considerable time to conclude, it is prayed that the applicants may be enlarged on bail.

4. On the other hand, learned counsel appearing for the State vehemently opposes the bail application, submitting that serious allegations involving scheduled animal parts (tiger skin/parts and pangolin scales) under the Wild Life (Protection) Act are involved; further, they have one criminal antecedent registered in the year 2009 and therefore, the applicants may not be enlarged on bail.

5. Heard learned counsel for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case, the nature and gravity of the allegations, particularly the fact that the investigation has concluded and the charge-sheet has already been filed, that the applicants have been in custody since 30.06.2026; they have only one criminal antecedent registered in the year 2009, and that

conclusion of the trial is likely to take time, without commenting on the merits of the case, this Court is inclined to grant regular bail to the applicants. Accordingly, the application is **allowed**.

7. It is directed that the applicants be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, on 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.

8. The observation made hereinabove is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-

Rakesh Mohan Pandey

JUDGE

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