CGHC010409152026 2026:CGHC:46312

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9947 of 2026

1 - Bhukhanlal S/o Ramlal Aged About 57 Years R/o Village- Bhawarkhoh, P.S.- Odagi, District- Surajpur (C.G.)

2 - Gareeb Lal S/o Ramdayal Aged About 50 Years R/o Village- Bhawarkhoh, P.S.- Odagi District- Surajpur (C.G.)

--- **Applicants**

versus

1 - State Of Chhattisgarh Through- Forest Range Officer Forest- Surajpur, Distirct- Surajpur (C.G.)

---- **Respondent**

For Applicants	:	Mr. Abhinav Dubey, Advocate
For Respondent	:	Mr. Aman Tamrakar, P.L.

Hon'ble Shri Justice Parth Prateem Sahu
Order On Board

02/11/2026

1. Applicants have filed this first bail application under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail as they have been arrested in connection with Crime No./Forest Offence Case POR No. 809/2024, registered at Police Station – Forest Ranger Officer, Forest (Range) Surajpur, District Surajpur for offence punishable under Section 9, 39, 44, 48 (A), 49 (B), 50 (c), 51 (1-A), 51 (1-B) of the Wildlife (Protection) Act, 1972.

2. That, the prosecution case, in brief, is that on 28.07.2026, acting upon secret information and pursuant to the directions of WCCB, Central Region, Bhopal, and the Forest Range Officer, Surajpur, a joint team of Forest Department officials and WCCB personnel conducted a search and blockade at Dharsedi Road, Kuro Patri, Village Baijnathpur, in the

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presence of local witnesses. The accused persons, who arrived on a motorcycle from the side of Dharsedi Village, were intercepted and searched. One bag allegedly containing tiger skin and two bags containing approximately 4–5 kg of pangolin scales were recovered from his possession. As they failed to produce any valid documents or authority for possessing the said wildlife articles, the same, along with the Honda Shine motorcycle bearing Registration No. CG 15 DN 7494, were seized and applicants have been arrested.

3. Learned counsel for the applicants submits that the applicants have not committed any offence and have been falsely implicated in the offence in question. He submits that the applicants are a poor villager who earns his livelihood by collecting and selling fallen and dry wood from the forest. It is further submitted that the applicants had some disputes with officials of the Forest Department, due to which they have been falsely implicated in the present case. It is next contended that alleged tiger skin and pangolin scales has not been seized from the exclusive possession of the applicants. Applicants have no previous criminal antecedents and he is in jail since 28.07.2026. Co-accused Tikeshwar Prasad Rajwade has been enlarged on bail by this Court in M.Cr.C. No. 8399 of 2026 vide order dated 09.09.2026. Therefore, learned counsel prays for grant of bail to the applicants.

4. Learned counsel for State, opposing the submissions advanced by learned counsel for applicant, submits that the allegations against applicants are serious and involve illicit possession of protected wildlife articles. It is contended that, at the time of interception, the applicants were found in possession of prohibited wildlife articles i.e.

pangolin scales and tiger skin, which were being carried without any valid document, licence or lawful authority. Hence, the applicants are not entitled to be released on bail.

5. I have heard learned counsel for the parties.

6. Taking into consideration facts and circumstances of the case, the nature and gravity of the offence, the fact that the applicants have been in custody since 28.07.2026, and he has no previous criminal antecedents, other co-accused has been enlarged on bail by this Court, without commenting anything on merits of the case, I am inclined to allow the bail application.

7. Accordingly, bail application is **allowed**. It is directed that the applicants shall be released on regular bail, upon furnishing a bail bond in the sum of ₹ 25,000/- with one surety in the like sum to the satisfaction of the Court on the conditions that-

(a) The applicants shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(b) The applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(c) In case, the applicants misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail to appear before the court on the date fixed in such proclamation, then, the

trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(d) The applicants shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicants are deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against them in accordance with law.

8. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Parth Prateem Sahu)
Judge

Balram