

06.11.2020:

The bail petition no. 730/2020 filed u/s 439 CrPC on behalf of the accused Md. Kasem Ali @ Kala and Md. Abdul Rasid @ Lathiwala in connection with CIR 03/2020 dated 11.08.2020 u/s 9/27/51/52 r/w sec, 2 (16) Wildlife (P) Act,, 1972 is taken up as the case diary as called for is received.

Heard learned counsel for the petitioner as well as the learned Addl. P.P.

It has been submitted by the learned counsel for the petitioner that the accused are innocent and they have been under detention for last 86 days. He submitted that considering the length of detention of the accused persons, they may be enlarged on bail.

Perused the case diary along with the Report submitted by the Investigating Officer. The accused are under custody since 12.08.2020.

Taking note of the materials so far collected against the accused persons as revealed by the case diary and the length of their detention, I find that further custodial detention of the accused persons is not called for. Hence the petition is allowed.

The accused are allowed to be released on bail of Rs.20,000/- (Rupees Twenty thousand) each with two sureties of the like amount to the satisfaction of the learned Elaka Magistrate on the conditions that i) they shall cooperate in the investigation of the case, ii) 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/her from disclosing such facts to the Investigating Officer or tamper with the evidence.

Return the case diary. The Misc. Case is disposed of accordingly. Inform all concerned.

