

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6373 of 2015

Thandaram Rathiya S/o Late Bandhi Rathiya Aged About 50 Years
Occupation Labour, R/o Village Babbali, Police Station Chakradhar
Nagar, District Raigarh Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Forest Ranger, Raigarh, District
Raigarh Chhattisgarh.

---- Respondent

For Applicant	:-	Shri V.R. Tiwari, Advocate
For Respondent/ State	:-	Shri O.P. Sahu, Government Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

26/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 4765/2014 registered at Police Station- Forest Rang, Raigarh District Raigarh (C.G.) for the offence punishable under Sections 9,51 of Wildlife Protection Act, 1972.
2. Case of the prosecution, in brief, it is alleged that the applicant and other co-accused layered electric wire, in which the wildlife Bhalu came and died.
3. Counsel for the applicants that the applicant is innocent and he has been falsely implicated in this case. He further submits that the other co-accused persons namely Kartikram Rathiya has already been granted bail by the coordinate Bench of this High Court in M.Cr.C. No. 5571 of 2015 on 13.10.2015 and the present applicant may also be entitled for bail on the ground of parity.

4. On the other hand, learned counsel for the State, after verifying the records, would submit that the present case is similar to that of accused person, who have already been granted bail by the coordinate bench of this High Court.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the applicant is in jail since 10.07.2015 and also the fact that the similarly placed co-accused persons have already been enlarged on bail by the coordinate Bench of this Court, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge