

HIGH COURT OF CHHATTISGARH, BIL

Order Sheet

MCRC No. 6068 of 2015

1. Lakhan S/o Vanmali Aged About 55 Years R/o Village Jogidipa, P.S. Fingeshwar, Tahsil Rajim, Civil & Rev. Distt. Gariyaband, Chhattisgarh.
2. Jogi son of Benudhar Dhruw Aged About 40 Years R/o Village Jogidipa, P.S. Fingeshwar, Tahsil Rajim, Civil & Rev. Distt. Gariyaband, Chhattisgarh.

---- **Petitioners**

Versus

- State of Chhattisgarh Through Forest Division Officer, Fingeshwar, Civil & Rev. Distt. Gariyaband, Chhattisgarh.

---- **Respondent**

17.11.2015	Shri K.K. Dewangan, counsel for the applicants. Shri Neeraj Jain, G.A., for the State. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. P.O.R. No.6880/ 01/ 31.05.2015 registered by Fingeshwar Forest Division, District Gariaband for the offence Punishable under sections 9, 39, 50, 51 of the Forest Animal Protection Act, 1972. As per the prosecution case, the present applicants along-with two other co-accused has mixed urea into the water of a forest pond and by drinking such water, 8 Cheetals and one Ox died and thereafter they took away the dead animals. Learned counsel for the applicant submits that one of the co-accused has been enlarged on bail, therefore, the case of the present applicants being similar to that of other co-accused, this application may also be allowed. Per contra, learned State Counsel opposes the bail	

Rao	application. I have heard the counsel for the parties and have also perused the case diary and other documents. It is pertinent to note that the wild animals are on the verge of extinction, therefore, it is expedient to take strict measures for protection of wild life. The allegation against the present applicants is that they have mixed urea into a forest pond and thereby caused death of wild animals. The other co-accused have been granted bail on the ground that they have consumed the meat of animals, therefore, the role of the present applicants is different from that of other co-accused who were enlarged on bail. Having regard to the facts involved in this case and the nature of allegations and evidence available in the case diary against the applicants, I am not inclined to release them on bail. Accordingly, their bail application is rejected. Sd/- GOUTAM BHADURI JUDGE	
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