

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7069 of 2015

1. Ramkumar Dhruv S/o Dhanau Ram Dhruv Aged About 45 Years R/o Village Sakra, Police Station Panduka, District Gariyaband, Chhattisgarh.
2. Komleshwar Kumar Dhruv S/o Balmukund Dhruv Aged About 23 Years R/o Village Sakra, Police Station Panduka, District Gariyaband, Chhattisgarh.
3. Lalit Kumar Dhruv S/o Late Ganesh Ram Dhruv Aged About 36 Years R/o Village Sakra, Police Station Panduka, District Gariyaband, Chhattisgarh.
4. Raju Yadav S/o Late Hiralal Yadav Aged About 32 Years R/o Village Sakra, Police Station Panduka, District Gariyaband, Chhattisgarh.

---- Applicants

Versus

State of Chhattisgarh Through Forest Circle Panduka, District Gariyaband, Chhattisgarh.

---- Respondent

For Applicants	:-	Mr. Rajesh Kumar Tiwari, Advocate
For Respondent/ State	:-	Mr. S.R. J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with P.O.R /Crime No. 8489/05/2015 registered at Police Station- Antarmara (panduka) Forest Circle Panduka District Gariyaband (C.G.) for the offence punishable under Section 29,50 and 51 of Wild Life (Protection) Act, 1972 and Wild Life (Protection Amendment Act 2002) Section 2, 16(A) (B) and Section 36(E) (F) 52 Indian Forest Act.
2. As per the prosecution case on 10.09.2015 on receiving a secret information that in the mid night at about 12.30 in village Murmura

the applicants hunted the Neelgay in the forest on being raided 30 Kg meat was seized from the possession of the applicants and arrow and weapon (*Farsa*) were also recovered from the possession of the applicants thereafter the matter was investigated and charge sheet has been filed.

3. Counsel for the applicants submit that the charge-sheet in this case been filed and no further investigation and seizure is required and considering the detention period of the applicants, they may be enlarged on bail. He further submits that the applicants are innocent and they have been falsely implicated in this case.
4. State counsel opposes the prayer for grant of bail.
5. Having regard to the facts and circumstances of the case and the fact that charge-sheet has been filed in this case; and the seizure has already been made. Considering the degree of allegation levelled against the applicants and the fact the applicants are in jail since 11.09.2015, this Court is of the opinion, that present is a fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge