

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 873 of 2015

1. Birsingh Patel S/o Padumlal, Aged About 50 Years Caste- Aghariya, R/o Village- Pandarikhar, Thana- Tendukona, Tahsil- Pithoura, Civil And Revenue District- Mahasamund (Chhattisgarh)
2. Purshottam Yadav S/o Kholbahra, Aged About 47 Years Caste- Rawat, R/o Village- Pandarikhar, Thana- Tendukona, Tahsil- Pithoura, Civil And Revenue District- Mahasamund (Chhattisgarh)
3. Bakilal Yadav S/o Kholbahra, Aged About 45 Years Caste- Rawat, R/o Village- Pandarikhar, Thana- Tendukona, Tahsil- Pithoura, Civil And Revenue District- Mahasamund (Chhattisgarh)

---- Applicants

Versus

State Of Chhattisgarh Through- Divisional Forest Officer, Pithoura, Civil And Revenue District- Mahasamund (Chhattisgarh)

---- Respondent

For Applicants	:	Shri Sunil Sahu, Advocate.
For Respondent/State	:	Shri Vinod Tekam, Panel Lawyer.

Order On Board

10/09/2015

Heard.

1. The applicants are apprehending their arrest in connection with POR No.9633/05/2015 registered at Divisional Forest Officer Pithoura, Distt. Mahasamund (C.G.) for alleged commission of offence under Section 2-A(16), 9, 39, 50, 51 of Wild Life Protection Act, 1972 and Rule 55 Chhattisgarh Wild Life Protection Rules, 1974.
2. Learned counsel for the applicants submits that the applicants have not committed any offence. Merely because the electric wire was found spread along with the side of applicants' field and the co-accused in statement before the police has involved the applicants, offence has been registered against them.

3. On the other hand, learned counsel for the State submits that the electric wire was found spread along with the side of applicants' agriculture field and the co-accused who has been arrested and clearly stated that the applicants are also involved in preparing for hunt of wild animals by laying live electric wire.

4. Considering the submission, I am not inclined to grant anticipatory bail to the applicants. The bail application is rejected. However, considering that co-accused, similarly situated, has been granted regular bail, it is directed that in case, applicants move application for grant of regular bail before the Court below, the same shall be considered and decided, if possible on the same date or in any case, within three days.

Sd/-

Manindra Mohan Shrivastava

J U D G E