

HIGH COURT OF CHHATTISGARH, BIL

Order Sheet

MCRC No. 6074 of 2015

- Harak Dhruv, son of Jaharu, Aged About 45 Years, R/o Village Mararkasahibahara, P.S. Bhimkhoj, Tahsil Bagbahra, Civil & Rev. Distt. Mahasamund, Chhattisgarh.

---- **Petitioner**

Versus

- State of Chhattisgarh Through P.S. Babbahara/Asst. Forest Area Officer, North Khallari, Civil & Rev. Distt. Mahasamund, Chhattisgarh.

---- **Respondent**

17.11.2015	Shri A.K. Yadav, counsel for the applicant. Mr. Om Prakash Sahu, Govt. Advocate, for the state. This is an application filed under Section 439 of Cr.P.C., for grant of bail to the applicant in connection with Forest Crime (POR No.8656 of 2012 registered at Police Station – Bagbahara, District Mahasamund (C.G) for the offence punishable under Sections 2(16)b, 9, 39, 1(3), 49(A) & 51 of the Wild Life Protection Act. As per the prosecution story, the applicant along-with other co-accused by using live electricity wire hunted Bisons by way of electrocution and thereafter on memorandum the seizure was made from the applicant. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case as the offence has been committed by other persons. He would submit that the charge sheet has already been filed and there is no further chance of tampering of evidence.	

Rao	Therefore, he prays that the applicant may be enlarged on bail. Per contra, learned State Counsel opposes the bail application. I have gone through the case diary. Perusal of the case diary prima facie shows that by way of electrocution, three Bison died. The wild animals are on the verge of rapid extinction, therefore, considering the present scenario, all out efforts are being made to preserve the wild life by enacting laws. However, people do not refrain from hunting and killing wild animals which may lead to complete extinction of wild life in the near future. In the present case, the allegation against the present applicant and other accused is that by using live electricity wire they hunted and caused death of 3 Bisons. Taking into legal norms laid down for preservation of wild life and as a deterrent effect, I am not inclined to release the applicant on bail. Accordingly, the bail application is rejected. Sd/- GOUTAM BHADURI JUDGE	
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