

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1169 of 2016

1. Mohd. Firoj S/O Ahmad Satar Aged About 45 Years Caste Muslim, R/O Keshkal, District Kondagaon, Chhattisgarh.
2. Sahdev S/O Laxman Aged About 21 Years (Wrongly Mentioned As Sahder In The Bail Rejection Order Of Court Below And This Honble Court Order) Caste Gond, R/O Keshkal, District Kondagaon, Chhattisgarh.

----- Petitioners

Versus

- State of Chhattisgarh through the Range Officer, South Singhpur, District Dhamtari, Chhattisgarh. --- Respondents

For the applicants	:	Mr. Goutam Khetrapal, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01.03.2016

1. This second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Forest Crime No. 7927 of 2019 registered at P.S. Forest Range South singhpur, Distt. Dhamtari (C.G) for the offence punishable under Section 26(1) of the Forest Act, 1927 and Section 3(1) of Prevention of Damage to Public Property Act, 1984.
2. The first bail application was dismissed on 15.12.2015
3. As per the prosecution case, in the intervening night of 28/29-10-2015 the applicants along-with other co-accused were apprehended as they were involved in illegal felling of teakwood trees in the forest near Magarload, Dhamtari.
4. Learned counsel for the applicants submits that the charge sheet in this case has been filed and Section 3 of the

Prevention of Damage to Public Property Act, 1984 prescribed the sentence of five years, therefore, he may be enlarged on bail.

5. Per contra, learned State Counsel opposes the bail application.
6. Perused the earlier rejection order which was passed on merits.
7. After passing the earlier rejection order dated 15.12.2015, I do not find any change of circumstances so as to grant bail to the applicants, therefore, I am not inclined to allow this bail application. Accordingly, it is rejected. However, it is observed that the trial Court may expedite the trial.

Sd/-
GOUTAM BHADURI
JUDGE