

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1808 of 2016**

1. Sunil son of Rijhavan, aged about 24 years, Caste Gond,
2. Manohar son of Karamchand, aged about 35 years, Caste-Gond,
3. Nehru son of Gourishankar Gond, aged about 50 years,
4. Heeralal son of Gourishankar, aged about 55 years,
5. Bhagwandas, son of Chandrika, aged about 22 years,
6. Basdev son of Dhiru, aged about 22 years,

No.1 to 6 are resident of Village-Bhagwanpur, Police Station-Chalgali, District-Balrampur-Ramanujganj (CG)

7. Shankar son of Shyamlal, aged about 23 years, Caste-Gond, resident of Village-Sursa, Police Station-Chalgali, District-Balrampur-Ramanujganj (CG)
8. Shankhlal son of Mansharan, aged about 30 years, resident of Village-Shardapur (E), Police Station-Chalgali, District-Balrampur-Ramanujganj (CG)
9. Bagarsai son of Ramratan, aged about 45 years, resident of Village Sursa, Police Station-Chalgali, District-Balrampur-Ramanujganj (CG)

---Applicants

Versus

State of Chhattisgarh Through: the Forest Officer, Wadraf Nagar, District-Balrampur-Ramanujganj (CG)

---Non-applicant

For Applicants	:	Mr. D.N.Prajapati, Advocate
For Non-applicant	:	Mr. Vivek Shinghal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

05/04/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Forest

Crime P.O.R. No.10592/2009, registered at Forest Range, Wadrafnagar, District-Balrampur-Ramanujganj (CG), for the offence punishable under Section 9 of the Wildlife Protection Act, 1972.

2. Case of the prosecution, in brief, is that the applicants haunted wild pig (schedule animal) under the Wildlife Protection Act and thereby committed the offence.
3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. He would further submit that there is no evidence against the present applicants, they are in jail since 4/5.1.2016 and charge-sheet has already been filed, therefore, they may be released on bail.
4. On the other hand, learned counsel for the State would oppose the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicants, their pre-trial detention and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-