

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3561 of 2016

1. Lal Sai, S/o. Baisakhu Baiga, aged about 30 years,
2. Ramakant, S/o. Gorelal Baiga, aged about 24 years,
3. Avadhesh, S/o. Gooje Ram Baiga, aged about 42 years,
4. Dan Bahadur, S/o. Sukhlal Baiga, aged about 35 years

All R/o. Village- Masoora, P.S. Janakpur, District – Korea (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : Van Parikshetradhikari Kunwarpur Range, Manendragarh, District – Korea (C.G.)

---- Respondent

For Applicants : Ms. Usha Chandrakar, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12/07/2016

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 Crime No.103/2016, registered at Police Station – Kunwarpur Range, Manendragarh, District – Korea (C.G.) for the offence punishable under Section 9, 39, 50, 51 of the Wild Life Protection Act, 1972.
2. As per the case of prosecution, the allegation against the present applicants are that they were in possession of the meat of deer, which was hunted by the wild animal in the forest.

3. Learned counsel for the applicant submits that in this case the allegation of hunting is not against the applicants and it was only alleged that meat was seized that of deer from the present applicants, however, it is submitted that meat was also not seized from the present applicant. It is further submitted that applicants are in jail since 17.05.2016, therefore, the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Perusal of the documents shows that seizure prima-facie do not appears to have been made from the present applicants. Considering the same, without any observation on merits, 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 applicants shall be released on bail on their furnishing a personal bond in the 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge