

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4351 of 2016

1. Gangadhar, S/o. Shri Dhan Singh, Aged About 45 Years, R/o. Village Mohanpur, P.S. Lailunga, District Raigarh, Chhattisgarh.
2. Joharlal, S/o. Shri Matwar, Aged About 50 Years, R/o. Village Mohanpur, P.S. Lailunga, District Raigarh, Civil & Revenue District Raigarh, Chhattisgarh.

--- Applicants

Versus

State Of Chhattisgarh, Through Forest Ranger, Forest Range Lailunga, District Raigarh, Chhattisgarh

--- Respondent

For the Applicants : Mr. Manoj Kumar Sinha, Advocate

For the Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. P.O.R. No.6748/15 registered at Police Station- Forest Ranger, Lailunga, Distt. Raigarh (C.G) for the offence punishable under Sections 51(1)(2) of the Wild Life Protection Act, 1972 and Section 2(16) and 9 of Wild Life (Protection) Amendment Act, 2002.
2. As per the prosecution case, on 02.05.2016 present applicants alongwith other co-accused persons followed one deer in forest with their dogs and the deer was chased by the dogs and subsequently when it was exhausted the applicants alongwith other co-accused persons attacked the deer and killed it and thereby the aforesaid offence is committed.

3. Learned counsel for the applicants would submit that the similarly placed co-accused have been enlarged on bail by this Court on 04.07.2016 in MCRC No.3249 of 2016 and the case of the present applicants is similar to that case, therefore, the applicants may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, she do not dispute the fact that the similarly placed co-accused have been enlarged on bail.
5. Perused the case diary and documents. Considering the fact that the similarly placed co-accused have been enlarged on bail on 04.07.2016 in MCRC No.3249/2016, I am inclined to release the applicants on bail.
6. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on their executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

Sd/-
GOUTAM BHADURI
JUDGE

