

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4084 of 2016

1. Sant Ram S/o Mansha Ram Dhurve Aged About 40 Years Caste Baiga R/o Vill. Bandoura P.S. Kukdur Tah. Pandariya Distt. Kabirdham Civil & Rev. Kabirdham Chhattisgarh.
2. Chandu Lal S/o Nachkahar Aged About 70 Years R/o Vill Bakela P.S. Kukdur Tah. Pandariya Distt. Kabirdham Civil & Rev. Distt. Kabirdham Chhattisgarh.
3. Sukhu Baiga S/o Dharam Singh Aged About 60 Years R/o Vill. Manabandi Chowki Rajnandgaon, P.S. Bodala Distt. Kabirdham Civil & Rev. Distt. Kabirdham Chhattisgarh.
4. Menda Ram Baiga S/o Baldau Aged About 25 Years R/o Vill. Devsara P.S. Kukdur Tah. Pandariya, Distt. Kabirdham Civil & Rev. District Kabirdham Chhattisgarh. --- **Applicants**

Versus

- State of Chhattisgarh through District Magistrate, Distt. Kabirdham Chhattisgarh. --- **Respondent**

For the applicants	:	Mr. Vikash Shrivastava, Advocate
For the Respondent	:	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.07.2016

1. This is first 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. 9584/05 dated 27.05.2016 (Criminal Case No.254 of 2016) registered at P.S. Kabirdham (C.G) for the offence punishable under Sections 2(16)(32),(33),(34),(35) & 9, 50, 51 of Wild Life Protection Act and Section 25 of the Arms Act.
2. As per the prosecution case, in the intervening night of 26th and 27th May, 2016 after hearing gun-shot sound, the Forest Officers surrounded the area and the applicants were seen to have hunted one wild pig and it was being taken on motorcycle. Subsequently the pig was found and one of the

applicants namely Santram was apprehended and the other accused fled away.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case; charge sheet has been filed and no further investigation is necessary, therefore, the applicants may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and other documents.
6. Considering the facts and circumstances of the case especially taking into fact that the charge sheet has been filed and no further investigation is necessary as also looking to the pre-trial detention of the applicants as applicant no.1 is stated to be in jail since 27.5.2016 and applicants 2 to 4 are stated to be in jail since 13.06.2016, I am inclined to allow the bail application.
7. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them 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.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE