

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4120 of 2016

- Harish Chandel S/o Late Rambharosh Chandel Aged About 38 Years R/o Village Garhpara, P.S. Antagarh, Civil & Revenue District North Bastar Kanker, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through the Divisional Forest Officer, Forest Area Antagarh District North Bastar Kanker, Chhattisgarh. --- **Respondent**

For the Applicant	:	Mr. P.K. Tulsyan, Advocate
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with P.R.O.No.7577/14 registered by Divisional Forest Officer Antagarh, Distt. North Bastar Kanker (C.G) for the offence punishable under Section 9, 39, 40(2)(4), 44, 49(B)(iii), 50, 51 & 52 of the Wild Life Protection Act, 1972.
2. As per the prosecution case, the present applicant and other co-accused were found making attempt to sell the trophy of tiger and thereby committed offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He further submits that similarly placed co-accused have been granted regular bail by this Court in M.Cr.C.No.3711/2016 on 22.07.2016 and also by the Coordinate Bench of this Court in M.Cr.C.No.2301/2016, therefore, being in parity the present applicant may also be

enlarged on bail.

4. Per contra, learned State Counsel opposes the bail, however, he do not dispute the fact that the similarly placed co-accused have been enlarged by on bail.
5. Having heard learned counsel for the parties and after perusal of the case diary and further considering the role of the present applicant as also the facts that the similarly placed co-accused have been granted bail by the co-ordinate Bench as also by this Court, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**