

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5026 of 2016

1. Dashram, S/o. Chappe, Aged About 35 Years,
2. Bhagat Singh, S/o. Sadhram, Aged About 38 Years,
3. Rama, S/o. Maso, Aged About 22 Years,

All are R/o. Village Pakhnar, Tahsil & P.S. Darbha, Civil & Revenue
District Bastar, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through the Kodonar, District Bastar,
Chhattisgarh.

---- Respondent

For Applicants : Mr. P.K.Tulsyan, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

31.08.2016

1. This is the 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.54/2016 registered at Police Station- Kodonar, Distt. Bastar (C.G.) for the offence punishable under Section 51 of Wild Life Protection Act, 1972.
2. Case of the prosecution, in brief, is that on a secret information received that four persons were traveling in two motorcycle and were carrying the skin of Panther and were waiting to sell the same. They were arrested after the raid was conducted and from their possession skull & skin of Panther was recovered.
3. Learned counsel for the applicant would submit that the applicants have been falsely implicated and the charge sheet in this case 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 prayer for grant of bail.
5. Perused the case diary and the charge sheet. Perusal of the charge sheet would show that from the present applicants, skin and other parts of the Panther was recovered. Taking into fact that the animal which has been killed is on the verge of extinction and despite all measures the people do not arrest themselves to hunt them. Considering the facts and circumstances of this case and evidence on record, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge