

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6264 of 2016

1. Lalchand, S/o. Asharam Porte, Aged About 30 Years.
2. Pratap Dhurve, S/o. Mukul Dhurve, Aged About 28 Years.
3. Pawan, S/o. Chain Singh, wrongly mentioned as Dhan Singh Maravi, Aged About 30 Years.
4. Hemchand, S/o. Bhagelu Maravi, Aged About 31 Years.
5. Ramavtar @ Lachchhan, S/o. Neram, Aged About 40 Years.
6. Antu Markam, S/o. Lamhu, Aged About 33 Years.
7. Mohit Yadav, S/o. Maharaji Yadav, Aged About 30 Years.

All Occupation Kastkari, R/o. Village Bandha, Police Station
Rajanavagaon, Tahsil Kawardha, District Kabirdham, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through Forest Range Officer, Boramdeo
Abhyaranya, Kawardha, Chhattisgarh.

---- Respondent

For Applicants : Mr. Shailendra Dubey, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07.10.2016

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/ POR No.7172/07 registered at Police Station/ Forest Range Officer, Boramdeo Abhyaranya, Kawardha (C.G.) for the offence punishable under Section 02, 09, 27, 31, 50, 51, 55 of Wild Animal Life Protection Act.
2. As per the prosecution case, the applicants got the Deer chased with the help of Dog and killed it; thereby the offence has been committed.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and no evidence is available against them that they killed the Deer, as the Deer was found dead. He further submits that the charge sheet in this case has been filed and no further investigation is required, therefore, the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and the fact that the charge sheet has been filed and no evidence is available against the applicants, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Certified copy, today.

Sd/-
(Goutam Bhaduri)
Judge