

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 422 of 2017

Kailash Kumar S/o Shri Jhanglu By Caste-Gond, Aged About 41 Years R/o Village Kaspur, Thana Sihava, Tahsil Nagri, Civil & Revenue District Dhamtari, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Forest Division Officer, Udanti, Sitanadi Tiger Reserve Forest Division Singanpur Zone Sihava Dhamtari, District Dhamtari, Chhattisgarh.

---- Respondent

For applicant - Shri Sunil Sahu, Advocate.
For Respondent/State – Shri Wasim Miyan, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

1/02/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with POR No. 8366/2013 registered in Police Station Forest Division Officer-Udanti, Sitanadi Tiger Reserve Forest Division Singanpur zone – Sihava Dhamtari Distt. Dhamtari (C.G.) for offence punishable under sections 27, 29, 31, 51 (1) and 52 of Wild Life Protection Act, 1972 and Section 3 (1) of the Prevention of Damages to Public Property Act, 1984.
2. As per the prosecution case, on 1/12/2016 the applicant was arrested on the reason that applicant has cut trees in the Reserve Forest and tried to encroach upon property of the forest alongwith co-accused and destroyed natural habitat of the wild animal.
3. Learned counsel for the applicant submits that only on the presumption the applicant has been inculpated, there is no evidence to the fact that the applicant has caused such offence, therefore the applicant may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Taking into nature of allegation against the applicant, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE