

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1381 of 2017

1. Lakhmu S/o Brijlal Aged About 35 Years,
2. Pawan Kumar S/o Budhram Aged About 42 Years
3. Nandkumar S/o Heera Singh Aged About 52 Years

Applicants No. 1 to 3 are R/o Village Arsikanhar, Police Station Mechka, District Dhamtari, Chhattisgarh.

4. Rameshwar S/o Ghansilal Aged About 25 Years
5. Rohit S/o Sukhram Aged About 50 Years

Applicant No.4 & 5 are R/o Village Mechka, Police Station Mechka, District Dhamtari, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Forest Range Officer, Udanti
Sitanadi Tiger Reserve, Forest Range Arsikanhar, Headquarter
Samkra, District Dhamtari, Chhattisgarh.

---- Respondent

For applicants - Shri Kunal Das, Advocate.
For Respondent/State – Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/03/2017

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. Forest Crime POR No.11920/06 registered in Police Station Forest Range Officer, Udanti Sitanadi Tiger Reserve, Forest Range Arsikanhar, Headquarter Sankra, District Dhamtari (CG) for offence punishable under sections 27, 29, 31, 38, 51, 52 of Wild Life (Protection) Act, 1972.
2. As per the prosecution case, the applicants and others have encroached upon the reserved forest at Udanti Sitanadi Tiger Reserve, Forest Range Arsikanhar and have cut the trees and destroyed the habitat of the forest and also caused loss to the forest.

3. Learned counsel for the applicants submits that similarly placed co-accused person has been enlarged on bail on 31/01/2017 vide M.Cr.C. No.344 of 2017, therefore the applicant may be released on bail.

4. Learned State counsel is not able to the dispute the fact that similarly placed co-accused person has been enlarged on bail on 31/01/2017 vide M.Cr.C. No.344 of 2017.

5. Considering the facts and circumstances of the case and also for the fact that similarly placed co-accused person has been enlarged on bail on 31/01/2017 vide M.Cr.C. No.344 of 2017, this court is inclined to release the applicants on bail.

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

Sd/-

(Goutam Bhaduri)

JUDGE