

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1607 of 2017

1. Shyamlal, S/o. Mahabir, Aged About 42 Years, Caste- Uraon, R/o. Semarchuvan (Manikpur), Police Station - Bango, Tahsil Pondi -Uproda, District- Korba, Chhattisgarh.
2. Hari Ram, S/o. Birsai, Aged About 36 Years, Caste- Uraon, R/o. Semarchuvan, Police Station - Bango, Tahsil- Pondi Uproda, District- Korba, Chhattisgarh.

----Applicants

Versus

State Of Chhattisgarh, Through : Range Assistant, Gursiya, Forest Area Atmanagar, Forest Division -Katghora, District- Korba, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Basant Kaiwartya, Advocate
For Respondent/State	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/03/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.016369 dated 22.01.2017, registered at Police Station – Forest Area Atmanagar, Forest Division – Katghora, District – Korba (C.G.) for the offence punishable under Section 9/51 of Wild Animal Life Protection Act.
2. Case of the prosecution, in brief, is that the applicants laid the live electric wire in the forest to catch hold of the animals in which wild bear came into contact and died, thereafter, the applicant throw the body of wild bear to different place and went away with the wire so as to make disappearance of evidence. Thereby the offence has been committed..

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case and no evidence is available against the present applicants. It is further submitted that charge-sheet in this case has been filed and the applicants are in jail since 30.01.2017, therefore, the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. It appears that on memorandum of the present applicants, electric wire were recovered and the applicants have made extra judicial confession before one Biras. Considering the fact that despite the appeal is made by the Government that wild animals are at the verge of extinct, the people do not refrain themselves from killing. Considering the same and the evidence available, I am not inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed. However, the trial Court is requested to expedite the trial.

Sd/-
(Goutam Bhaduri)
Judge