

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2759 of 2017**

1. Ramayan Dewar S/o Sonar Dewar Aged About 30 Years
2. Rahim Dewar S/o Sonar Dewar Aged About 27 Years
3. Altaf S/o Sonar Dewar Aged About 22 Years
4. Shiva Dewar S/o Rahim Dewar Aged About 21 Years
5. Appu Dewar S/o Sant Ram Dewar Aged About 23 Years
6. Guru Dewar S/o Kailash Dewar Aged About 22 Years

All are R/o Village Dewarpara Fingeshwar, Police Station Fingeshwar, District Gariyaband, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through : Police Station Fingeshwar, District Gariyaband, Chhattisgarh.

---- Respondent

For applicant	Mr. Pushpendra Kumar Patel, Adv.
For Respondent/State	Mr. U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****24-7-2017**

1. Heard finally.
2. The applicants have preferred this application for grant of bail as they are arrested on 12-2-2017 in connection with POR No. 6876/2016 dated 11-2-2017 and 6880/2015 dated 11-2-2017 registered in Forest Circle Fingeshwar, Civil Distt. Raipur under Section 9, 50 and 51 of the Wild Life Protection Act, 1972.
3. Learned counsel for the applicants submits that after investigation charge sheet has been filed and the same is pending before the JMFC Rajim, Civil Distt. Raipur (CG) as Criminal Case No. 166/2017. The applicants will not commit any offence in future. As per allegation, from the applicants 5 number of dead wild cat, 4 number of mongoose along with club, iron pipe and dogs were seized. The applicants were arrested for the illegal hunting of the wildlife as aforementioned. They

may be granted bail.

4. Per contra, learned counsel for the State opposes the arguments advanced on behalf of the applicants and submits that total 13 cases have been registered against the applicants prior to the incident as shown in the following table-

Sl.No.	Crime No. / Complaint No.	Section	Against applicant No.
01	Crime No.127/12	457, 380, 34 of the IPC	against applicant No.1
02.	Crime No.81/13	379 of the IPC	against applicant No.1 and 6
03	Complaint No.8/13	110 of the Cr.P.C.	against applicant No.1
04.	Complaint No.55/13	107, 116(3) of the Cr.P.C.	against applicant No.1 and 5
05.	Complaint No. 126/13	107, 116(3) of the Cr.P.C.	against applicant No.6
06.	Complaint No.242/14	107, 116(3) of the Cr.P.C.	against applicant No.6
07.	Complaint No. 171/15	107, 116(3) of the Cr.P.C.	against applicant No. 1 and 2
08.	Complaint No. 243/15	107, 116(3) of the Cr.P.C.	against applicant No.3
09.	Crime No. 140/15	363, 366, 376 of the IPC and Section 3(a) of the Protection of Children from Sexual Offences Act, 2012.	against applicant No.4
10.	Complaint No.2/16	41, 109 of the Cr.P.C.	against applicant No.3.
11.	Complaint No.179/16	107, 116(3) of the Cr.P.C	against applicant No.4 5.
12.	Complaint No. 190/16	151, 107, 116 of the Cr.P.C.	against applicant No.4
13.	Crime No.101/16	147, 148, 294, 506 Part II, 323 of the IPC	against applicant No.1, 2, 3, 4 and 5

He submits that looking to the act of the applicants in the present matter and criminal antecedents, instant MCRC may be dismissed.

- 5. Perused the entire matter.
- 6. On due consideration as the applicants have criminal antecedent as

aforementioned and also looking to the evidence collected against the present applicants in the present matter, I am not inclined to grant bail to the applicants.

7. Consequently, instant MCRC is dismissed.

**Sd/-
(Chandra Bhushan Bajpai)
Judge**

Pathak