

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3354 of 2017

Tiharu Baiga, S/o. Pusau @ Jethu Baiga, Aged about 35 years, R/o. Village Paraswara, Police Station & Tahsil Lormi, District Mungeli, Chhattisgarh (In order it has been mentioned as Tihari Baiga).

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station Lormi, District Mungeli, Chhattisgarh.

---- Respondent

For Applicant : Mr. Amit Kumar Sahu, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/06/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.80/2017 registered at Police Station- Lormi, District Mungeli (C.G.) for the offence punishable under Section 304A of Indian Penal Code and Section 51 & 52 of the Wild Life Protection Act, 1972.
2. As per the prosecution case, the applicant and two other accused persons had erected a wire for hunting wild animals within forest area and the wire was connected with 110 KV electrical line. The deceased came in contact with the live wire and died as a result of electrocution.
3. Learned counsel for the applicant would submit that the similarly placed co-accused has already been enlarged on bail by the coordinate Bench of this Court in MCRC No.3159 of 2017 on

23.05.2017 and the case of the present applicant is similar, therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that the similarly placed co-accused has already been released on bail.
5. Perused the case diary and the order dated 23.05.2017 passed in MCRC No.3159 of 2017. Considering the fact that the similarly placed co-accused has already been enlarged on bail by the coordinate Bench of this Court, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Vacation Judge