

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4669 of 2017**

1. Lokeshwar Singh Thakur. S/o Sangram Singh Aged About 65 Years
Occupation Retired Employee,
2. Pradeep Singh S/o Lokeshwar Singh Thakur Aged About 35 Years
Occupation Supervisor, N.T.P.C. Lara,

Both R/o Behind Of Stadium, Shri Ram Colony Boirdadar, Raigarh;
Police Station Chakradharnagar; Tahsil And District (Revenue And
Civil) Raigarh Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Range Forest Officer, Raigarh, Forest
Range, Raigarh, District (Revenue & Civil) Raigarh, Chhattisgarh

---- Respondent

For the Applicant : Shri V.R.Tiwari and Shri V.K. Pandey, Advocates
For the Non-applicant : Shri Anil S Pandey, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**01/11/2017**

1. This is the first bail application under Section 439 of the CrPC and
there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State
in connection with the Crime No. (Forest) 4780/21, Range Officer
Case No. 100/2017 registered at Range Forest Officer, Raigarh
Forest Range, Raigarh, District Raigarh (C.G.) for the offence
punishable under Sections 09, 39, 40, 42, 51, 52 of Wild Life
Protection Act, 1972.
3. Case of the prosecution, in brief is that on 23/04/2017 Assistant

Conservator of Forest had received information from the informer that hunted wild life is being transported in the Maruti Vehicle No. C.G.04 ZD 5733. Near the Village Junwani said vehicle was stopped by the Forest Guard Paluram Sahu. During the enquiry applicants and Manoj Gupta ran away from the spot along with said vehicle. Thereafter after obtaining the search warrant search was conducted to the house of the applicant No. 1 and trophy of Chital, Chausingha, Barahsingha along with crust of some animal have been seized.

4. Learned counsel for the applicants argued that applicants have been falsely implicated, alleged seized articles are not found in the exclusive possession of the applicants, search procedure has also not complied with according to the law, therefore, they may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicants.
7. Consequently, the MCRC is dismissed.

Sd/
(Sharad Kumar Gupta)
Judge