

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.CR.C. No. 8460 of 2016**

1. Pawan Kumar, S/o. Shriram Noroti, aged about 32 years, Caste-Gond, R/o. Village- Belgaon, Police Station – Bedgaon, Civil and Revenue District – Gadchirouli (Maharashtra).

----Applicant

**Versus**

1. State of Chhattisgarh, Through : the Officer-in-Charge of the Forest Circle Range, Ambagarh Chowki, Civil and Revenue District – Rajnandgaon (C.G.)

---- Respondent

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| For Applicant        | : Mr. Punit Ruparel, Advocate    |
| For Respondent/State | : Mr. Anant Bajpai, Panel Lawyer |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**04/01/2017**

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 applicant who has been arrested in connection with Forest Crime POR No.10018/2015, registered at Police Station – Forest Circle Range, Ambagarh Chowki, District – Rajnandgaon (C.G.) for the offence punishable under Section 9, 39, 44, 49(B), 51(1) (c), 52 of Wild Life Protection Act.
2. Case of the prosecution, in brief, is that on 23.11.2016, the applicant was caught hold of with Tiger skin while was smuggling the same along with other co-accused. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he can only be convicted for keeping possession of the said skin and the applicant has not committed

hunting, therefore, the applicant may be released 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 and perused the case diary.
6. Perused the case diary and the documents. Perusal of the documents shows that the applicant was involved with other co-accused. The matter is still under investigation. Despite the fact that Tigers are in the verge of extinct and follow up by the Government and the forest department, still hunting of the Tigers are being done for their own benefit. Considering the fact that the matter is still under investigation and as appears there are other persons also involved, taking into such facts and seriousness of the crime, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge