

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 42 of 2018**

1. Shiv Prasad S/o Pusou Gond, Aged About 65 Years R/o Village Bodalpani, Police Station S. Lohara, District Kabeerdham Chhattisgarh, Chhattisgarh
2. Tetku, S/o Pusou Gond, Aged About 45 Years R/o Village Bodalpani, Police Station S. Lohara, District Kabeerdham Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh
3. Persadi, S/o Pusou Gond, Aged About 60 Years R/o Village Bodalpani, Police Station S. Lohara, District Kabeerdham Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh
4. Nandkumar @ Balaram Gond, S/o Sarju Gond, Aged About 30 Years R/o Village Bodalpani, Police Station S. Lohara, District Kabeerdham Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh

---- Applicants**Versus**

The State Of Chhattisgarh Through Forest Range Officer, Range S. Lohara, District Kabeerdham Chhattisgarh.

---- Respondent

For the Applicants	:	Shri P.P. Sahu, Advocate.
For the Respondent/State	:	Shri Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****08.03.2018**

Heard.

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./P.O.R. No.13052/25, registered at Police Station – Forest Development Corporation, Range S. Lohara, District – Kabirdham/ Kawardha, Chhattisgarh for the offence punishable under Sections 2(1), 9 and 51 of the Wild Life (Protection) Act, 1972.

2. Learned counsel for the applicants submits that the applicants are in jail since 6.12.2017 and they have been falsely implicated in this case. The applicants are local residents of District Kabirdham and the case is triable by the Judicial Magistrate First Class. Hence, it is prayed that the applicants be enlarged on bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. Forest offence has been registered against these applicants by the Forest Officer, Sahaspur, Lohara. According to which, the applicants and others engaged in hunting a wild deer on the date of incident and thereafter, they were in possession of the meet, skin and other articles of the hunted animal and the same was seized by the Forest Officer from these applicants. Hence, this case.

6. Considering the nature of the offence registered against these applicants, the offence is triable by the Judicial Magistrate First Class, the applicants are local residents of District Kabirdham and there is no likelihood of their absconding, I am of the considered opinion that in this case the applicants deserve to be enlarged on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge