

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 5867 of 2017

1. Hazari S/o Sukhlal Baiga, Aged About 35 Years R/o Bijrakachar, Outpost Khudia, Tehsil Lormi, Revenue And Civil District Mungeli, Chhattisgarh., Chhattisgarh.
2. Kamlesh S/o Dukhwa Sahu, Aged About 35 Years R/o Bijrakachar, Outpost Khudia, Tehsil Lormi, Revenue And Civil District Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh.
3. Hori S/o Baisakhu Gond, Aged About 30 Years R/o Bijrakachar, Outpost Khudia, Tehsil Lormi, Revenue And Civil District Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh.
4. Bodhiram S/o Bharat Gond Aged About 35 Years R/o Patharripaara, Outpost Khudia, Tehsil Lormi, Revenue And Civil District Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh.
5. Tihari Singh S/o Bajru Baiga, Aged About 50 Years R/o Bijrakachar, Outpost Khudia, Tehsil Lormi, Revenue And Civil District Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Forest Ranger Officer Khudia, Civil And Revenue District Mungeli, Chhattisgarh., Chhattisgarh.

---- Respondent

For the Applicant : Shri Pallav Mishra, Advocate.

For the Respondent/State : Shri N.K. Mehta, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15.01.2018

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 POR No. 12784/22 registered at Police of Forest Area – Forest Ranger Officer, Khudia, District –Mungeli (C.G), for the offences under Sections 2- 16 (A – B) and 9- 51 under Wild Lifer Protection Act, 1972.
2. Learned counsel for the applicant submits that the applicants have been falsely implicated in this case and they are in jail since 24.08.2017 and no progress has taken place in the trial against the applicants. The case is triable by JMFC, Lormi. The applicants are local resident and they are ready to abide by all the conditions which may be imposed while granting bail to the applicants. Hence, the applicants pray for grant of bail.
3. Learned counsel for the State opposes the bail application and the submission made.

4. Heard counsel for both the parties and perused the case diary.
5. The case against the applicants is this that they hunted the wild animal cheetal and hunting wild animal is prohibited by law, hence, the case has been registered against them.
6. Considering the submissions made, contents of the case diary and taking into consideration that the applicants are local residents their availability before the trial Court shall not be compromised, if they are released on bail, looking to the facts and circumstance of this case, I am of the view that it is a fit case where the applicants are entitled for grant of bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond for a sum of Rs.25,000/- with one surety each 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