

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1059 of 2018

- Bhubaneshwar Baretha S/o Udainath Baretha, Aged About 38 Years, R/o Village Ramtek, Police Station And Tahsil Sarangarh, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through the Ranger Forest Department Sarangarh, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicant – Shri Keshav Shankar Nande, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

11-04-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 10-01-2018 in connection with Crime No.4580/18 registered at P.S. Forest Department, Range Gomarda, Sarangarh, District Raigarh, Chhattisgarh for the offence under Section 27, 29, 31, 50 and 51 of Wildlife Protection Act 1972.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 10-01-2018. Forest complaint has been filed before the Court of JMFC. The applicant is local resident of District Raigarh. No purpose would be served if the applicant is kept in detention till conclusion of the trial. Hence, it is prayed that the applicant may be released on bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. The case against the applicant is this that the applicant along with other

co-accused persons was engaged in hunting wild animals by making use of live electric wire. The forest officials on patrol, found the trap of live electric wire on the spot. On the basis of memorandum statement given by the co-accused, this applicant has been arrested. Hence, this case.

6. Considered on the entire material present in the case diary. As the case is presently before the trial Court and there is no further requirement of detention of the applicant during the trial, I am of this view that this applicant should be released on bail during pendency of the trial against him.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge