

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 758 of 2018

1. Suman Netam, S/o Budhram, aged about 25 years, R/o Village Bastarbudra, Tahsil Baderajpur, District Kondagaon (C.G.)
 2. Jageshwar Vetti, S/o Devsingh, aged about 22 years, R/o Village Bastarbudra, Tahsil Baderajpur, District Kondagaon (C.G.)
- Applicants**

Versus

State of Chhattisgarh, through Police Station, Vishrampuri, Baderajpur, District Kondagaon (C.G.)

---- Non-applicant

For Applicants	:	Mr. Ashish Beck, Advocate.
For Non-applicant	:	Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

19/09/18

1. Apprehending arrest in connection with Crime No. 98/2017, registered at Police Station Vishrampuri, Baderajpur, District Kondagaon, for the offence punishable under Sections 186, 379 and 506 read with Section 34 of the Indian Penal Code, along with Section 26 of Indian Forest Act and Section 3 of the Public Property Act, the applicants have filed this application under Section 438 of the CrPC for grant of anticipatory bail.
2. Case of the prosecution, in brief, is that the applicants and ten other co-accused persons on 17-9-2017, illegally cut down 188 trees in the Forest Compartment RF 2840 and thereby committed the offence.
3. Learned counsel for the applicants submits that the applicants have not committed any offence and they have been falsely implicated. The applicants and ten other co-accused persons have lodged a representation to the Forest and Police authorities that the villagers have cut down the said trees and that was not taken care of by the

authorities and they have been falsely implicated.

4. Learned State counsel opposes the application and submits that the applicants are office bearer of the Forest Management Committee and they ought to have protected the forest, but they have damaged the forest and cut down the trees, therefore, they are not entitled for anticipatory bail.
5. Taking into consideration the material available on record, the manner in which the trees are said to have been cut down by the applicants and the public property has been damaged and in view of the fact that the other co-accused applicant's bail application has been rejected by this Court by order dated 09.07.2018 in M.Cr.C.(A) No. 662 of 2018, I do not find any case for grant of anticipatory bail to the applicants. The application is accordingly, rejected.

SD/-

(Sanjay K. Agrawal)
Judge