

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 791 of 2018

Bansilal S/o Sukhlal, aged about 60 years, R/o Villae Bastarbudra, Tahsil Baderajpur, District Kondagaon (C.G.)
---- Applicant

Versus

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

For Applicant	:	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 applicant has filed this application under Section 438 of the CrPC for grant of anticipatory bail.
2. Case of the prosecution, in brief, is that the applicant 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 applicant submits that the applicant has not committed any offence and he has been falsely implicated. The applicant and ten other co-accused persons has 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 he has been falsely implicated.

4. Learned State counsel opposes the application and submits that the applicant is office bearer of the Forest Management Committee and he ought to have protected the forest, but he has damaged the forest and cut down the trees, therefore, he is 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 applicant 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 applicant. The application is accordingly, rejected.

SD/-

(Sanjay K. Agrawal)
Judge