

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 62 of 2019**

- Sukhna S/o Kishnu Aged About 45 Years Caste- Kodaku, R/o Village- Kanda, Police Station- Pasta, District- Balrampur- Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Forest Range- Balrampur, District- Balrampur- Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. AK Yadav, Advocate
For Non-applicant	: Mr. SRJ Jailswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

28.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with POR No. 16521/2013 registered at Police Range – Balrampur, District- Balrampur- Ramanujganj (C.G.) for the offence punishable under Section 29, 31 and 51 of Wild Life Protection Act and 26 (F), (H), (J) of Forest Act and 3(1)(C) of Prevention of Damage to Public Property Act.
3. Case of the prosecution, in brief is that applicant had cut 24 saal trees for occupying the forest land in Daldhowa Semarsot Century.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE