

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3193 of 2019**

Amar Singh, S/o Daras Singh, aged about 45 years, Caste Gond, Resident of village Dullapur, Chowki Khudiya, P.S. Lormi, District Mungeli (CG).

---- Applicant**Versus**

State of Chhattisgarh, through the Forest Range, Khudiya, District Mungeli (CG).

---- Non-applicant

For Applicant	: Mr. Suresh Kumar Verma, Advocate
For Non-applicant	: Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

27.06.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the case diary provided by the counsel for the State in connection with P.R.O. No.12819/11 registered in Police Station Forest Range Officer, Khudiya Range, Mungeli District Mungeli for the offence punishable under Sections 9, 10, 11 Wild Life Protection Act.
3. Case of the prosecution, in brief, is that applicant and co-accused floated electrical current in electric wire at compartment No.492 Chacedi premises of Khudiya forest. Two leopards have died on account of electric current. They also hunted the rabbit.
4. Counsel for the applicant submitted that the applicant has not committed any offence and has been falsely implicated in the case. He further submitted that except wire, nothing was seized from him and as such he may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. However, he submitted that no criminal antecedent is

reported against the applicant in police case diary.

6. Looking to the facts and circumstances of the case, looking to the material available on record against the applicant, looking to the statements available in case diary, looking to the seriousness of the offence and looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant.

7. Consequently, the bail application is rejected.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-