

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC(A) No. 816 of 2019**

- Chovaram S/o Jaharsingh Gond Aged About 30 Years R/o Village Dullapur, Chowki Khudiya, Police Station Lormi, District Mungeli, Chhattisgarh.

---- Applicant**Versus**

- The State Of Chhattisgarh Through Forest Range Officer, Khudiya Range, District Mungeli, Chhattisgarh.

---- Respondent

For Applicant	: Shri Amit Kumar Sahu, Advocate.
For Respondent/State	: Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****21/10/2019**

1. The Applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending his arrest in connection with Crime No./P.O.R. No. 12819/2011 registered at Police Station/Forest Range Office – Forest Range Officer Khudiya Range, District – Mungeli, (C.G.) for the offence punishable under Sections 9, 10, 11 of Wildlife (Protection) Act, 1972.
2. As per the prosecution story, on 03.04.2019, allegedly, present Applicant in association with other co-accused persons, killed two panther and one rabbit at Forest Division Khudiya through supply of

electric power. On the basis of the said, offence has been registered.

3. Learned Counsel appearing for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. He further submits that there is no any material available on record against the Applicant from which it can be said that present Applicant has committed the alleged crime. Applicant is falsely implicated in the case on the basis of statement of other co-accused persons. Therefore, Applicant may be granted the benefit of anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties and considering the facts and circumstances of the case and further considering the fact that apart from the statement of the co-accused persons, there is no any material available on record against the present Applicant, therefore, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present Applicant.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the Applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :
 - (i) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,

- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge

Prakash