

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4981 of 2019**

1. Abhilal Gada, S/o. Shri Dhansay, Aged About 36 Years, Caste Gada,
 2. Ranjeet, S/o. Shri Sukhram, Aged About 65 Years, Caste -Binjhwar,
 3. Ramprasad, S/o. Shri Kashiram, Aged About 52 Years, Caste Gada
 4. Rohit, S/o. Shri Shatruhan, Aged About 32 Years, Caste Binjwar,
- All are R/o Village Devrung, Thana Rajadeori, District Balodabazar - Bhatapara Chhattisgarh.

---- Applicants***Versus***

The State Of Chhattisgarh, Through : The Forest Officer, Forest Circle Deopur, District Balodabazar - Bhatapara Chhattisgarh.

---- Respondent***AND*****M.CR.C. No. 5290 of 2019**

1. Khageshwar, S/o. Shri Radheshyam Nayak, Aged About 41 Years, R/o. Village - Mungulbhata Thana - Rajadeori, District - Baloudabajar - Bhatapara Chhattisgarh.
2. Suman S/o Shri Budul Yadav, Aged About 49 Years, R/o. Village – Devrum, Thana - Rajadeori, District - Baloudabajar - Bhatapara Chhattisgarh.

---- Applicants***Versus***

The State Of Chhattisgarh, Through : The Forest Officer, Forest Circle Deopur, District Balodabazar - Bhatapara Chhattisgarh.

---- Respondent

For Applicants : Mr. Sumit Shrivastava, Advocate

For Respondent/State : Mr. Kapil Maini, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**28/08/2019**

1. Both the bail applications are heard and decided together by this common order as they are arising out of the same crime number and

the incident.

2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants, who have been arrested in connection with Crime/POR No.13223/02, registered at Police Station – Forest Officer, Forest Circle Deopur, District – Balodabajar – Bhatapara (C.G.) for the offence punishable under Section 2 (16), 6, 9, 39, 50 and 51 of Wild Life Protection Act, 1972.
3. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. No case is made out against the applicants according to the material present in the case diary. There is no seizure of any dead body of wild animals from these applicants. Only because some G.I. wire, bow and arrow were found from the house of the applicants, they have been made accused in this case. Therefore, it is prayed that the applicants may be enlarged on regular bail.
4. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. According to the prosecution case, dead body of two Bison and two Monitor Lizard were found in the forest range Devrum. Death of these animals have been resulted due to electrocution. Later on house of the applicants were searched in which, some GIR wires, bow and arrow were found on that basis, they have been made accused in this case.

7. Considered on the submissions made and the contents of the case diary. After considering on all the facts and circumstances and the evidence present in this case, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.
9. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram