

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 10022 of 2018**

1. Santram Gond S/o Shri Ghurau, Aged About 27 Years R/o Village - Saraypali, Thana - Gidhouri, District Balodabajar Bhatapara, Chhattisgarh.
2. Jaysingh S/o Shri Mangalu Bariha Aged About 39 Years R/o Village - Saraypali, Thana - Gidhouri, District Balodabajar Bhatapara, Chhattisgarh.
3. Sadhram S/o Shri Chamra Chouhan, Aged About 44 Years R/o Village - Saraypali, Thana - Gidhouri, District Balodabajar Bhatapara, Chhattisgarh.
4. Radheshyam S/o Late Shri Jhangalu, Aged About 43 Years By Caste - Gond, R/o Village - Ganjardih, Thana, Gidhouri, District Balodabazar - Bhatapara, Chhattisgarh.

---- Applicants**Versus**

- The State of Chhattisgarh Through The Forest Officer, Forest Circle Arjuni, District Balodabazar- Bhatapara, Chhattisgarh.

---- Respondent

For Applicants	: Shri Sumit Shrivastava, Advocate.
For Respondent/State	: Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

12/03/2019

1. The Applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with Crime/POR No. 13259/11, registered at Forest Officer, Forest Circle Arjuni, District- Baloda-Bazar, (C.G.) for the offence punishable under Sections 09, 50, 51 & 52 of Wildlife Protection Act, 1972.
2. As per the prosecution story, on 01.12.2018 one dead body of Bayson (Forest Buffalo) was found in the reserve forest. It is alleged that the present Applicants have hunted the said Bayson with the help of electric current. On the basis of the said, offence has been registered and Applicants have been taken into custody on 05.12.2018.

3. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. He further submits that on the basis of evidence collected by the prosecution, *prima facie*, no any offence can be made out against the present Applicants. He also states that charge-sheet has been filed, Applicants are in custody since 05.12.2018 and trial is likely to take some time. Therefore, they may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application and submits that Applicant No. 02 has one previous antecedent of criminal case.
5. However, Counsel for the Applicants submits that Applicant No. 02 has already been acquitted from the said charges of criminal case and at present, there is no any case pending against him.
6. I have heard learned Counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that charge-sheet has been filed, Applicants are in custody since 05.12.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the Applicants shall be released on bail on each of them furnishing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge