

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 573 of 2020**

1. Samir Mudma S/o Shri Pandu Mudma Aged About 23 Years R/o Village Chintanpalli, Post Toynar, Thana- Toynar, Tahsil And District Bijapur, Chhattisgarh.
2. Balram Mudma S/o Shri Sukhram Mudma Aged About 23 Years R/o Village Chintanpalli, Post Toynar, Thana- Toynar, Tahsil And District Bijapur, Chhattisgarh.
3. Santosh Gode S/o Shri Banderam Gode Aged About 32 Years By Caste Muriya, R/o Village Komla, Post Noumed, Tahsil And District Bijapur, Chhattisgarh.

---- Applicants

Versus

- The State Of Chhattisgarh Through The Forest Officer, Forest Circle Narharpur, District North Baster Kanker, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sunil Sahu, Advocate.
For State	:	Mr. Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11.02.2020**

- The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with P.O.R. No. 14774/13 registered at the Forest Circle Narharpur, District North Bastar Kanker (C.G.) for the offence punishable under Sections 2/51, 9/51, 39/51, 43/51, 44/51, 48(A)/51, 49(A)/51, 49 (B)/51, 50/51 of the Wild Life Protection Act, 1972.
- The prosecution story in brief is that the applicants along with other co-accused persons have committed the offence of hunting & killing the wild animal i.e. tiger, from the forest reserved area and kept his pelt (skin) in their possession. Based on that, offence has been registered against the

applicants and they have been arrested.

- Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that there is no previous antecedent against the applicants, they are in jail since 08.12.2019 and they are ready to furnish adequate surety and shall abide by all the directions and conditions which may imposed by this Court, the present applicants may be released on bail.
- Per contra, State counsel strongly opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants, as the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
- Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge