

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1920 of 2020**

1. Gopal S/o Raajman, Aged About 49 Years Caste Gound, R/o Gram Dohel, Police Station Devbhog, District Gariyabandh Chhattisgarh.
2. Jagoram S/o Domuram, Aged About 45 Years Caste Gound, R/o Gram Dohel, Police Station Devbhog, District Gariyabandh Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through The Range Officer Forest Department, Circle Indagaon, District Gariyaband Chhattisgarh.

---- Respondent

For Applicants	: Mr. Aditya Tiwari, Adv.
For Respondent/State	: Mr. Ayaz Nave, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11.06.2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with P.O.R. No. 8416/24 registered at Police Station Indagaon, Gariyabandh (C.G.) for the offence punishable under Sections 27, 29, 32, 38(K), 51 of Wild Life Protection Act 1972 and Sections 26 (क) (ख), 52 of Indian Forest Act 1927 read with Section 3, 4 of Prevention of Damage to Public Property Act.
2. The allegation against the present applicants is that, they have encroached upon the reserved forest at forest range of Udanit Sitanadi Tiger Reserve and cut down the various costly trees of the Forest Reserved Area and destroyed the habitants of the forest. Based on that, offence has been

registered against the applicants and they have been arrested.

3. Learned counsel submits that the applicants are innocent and have been falsely implicated in the crime in question. He next submits that they are in jail since 24.11.2019, therefore, the applicants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants, as 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 in respect of applicants are allowed.
7. 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 trial Court on each and every date to be given to them by the said Court.
8. It is made clear that if the applicants have already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **in Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c)

No. 1/2020), they need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sabu