

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2145 of 2020**

1. Bhuklu S/o Bhagwan Gond Aged About 53 Years
2. Kunwar Singh S/o Baliram Gond Aged About 54 Years
3. Santram S/o Devchand Gond Aged About 57 Years
4. Dhamu S/o Meeru Baiga, Aged about 52 years,
5. Haresingh S/o Baliram Gond Aged About 51 Years
6. Panchu S/o Panka Gond Aged About 49 Years

All are R/o Village Bangitola, PS Kukdur, Tahsil Pandariya,
District Kabeerdham (CG)

---- Applicants

Versus

- State Of Chhattisgarh Through The Forest Department, Forest Range Pandariya, District Kabirdham Chhattisgarh

---- Respondent

For Applicants : Shri Hari Om Rai, Advocate
For Respondent/State : Shri Sameer Sharma, Dy.Govt. Advocate

Hon'ble Smt. Justice Rajani Dubey

Order on Board

18.5.2020

1. Heard.
2. Admit.
3. 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 Crime No. P.O.R.N.16043/05, registered at Police Station – Forest Range, Pandariya, District Kabeerdham (C.G.) for the

offence punishable under Sections 02(16), (32),(33),(34),(35), 09, 50(Kha), 51 of the Wildlife Protection Act, 1972.

4. It is the case of the prosecution that in the intervening night of 13/14.2.2020, the accused/applicants have hunted a Sambar (wild animal) in Dobri Forest of Schedule-I and enjoyed the meat of it.
5. Learned counsel for the applicants submits that the applicants are innocent and they have been falsely implicated in the crime and they are in custody since 17.2.2020. He submits that all the offences are triable by Magistrate and the applicants are ready to furnish adequate security and shall abide by all the directions and conditions, which may be imposed by this Court; and the trial is likely to take some time for its final disposal, therefore, the applicants may be released on bail.
6. On the other hand, counsel for the State opposes the bail application.
7. Considering the facts and circumstances of the case, in particular, the detention period of the applicants and further considering that the offences are triable by Magistrate and trial is likely to take some time for its final disposal, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
8. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs25,000/- with one local surety each in like sum to the satisfaction of

the concerned trial Court for their appearance before the said
Court as and when directed till the disposal of the trial.

10.Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge

sunita