

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4712 of 2020**

1. Chhatram S/o Tilsay Dhanuhar, aged about 35 years.
2. Ram Prasad S/o Laxman Dhanuhar, aged about 40 years.
3. Sidar Singh S/o Samar Kunwar, aged about 28 years.
4. Matram S/o Firturam Dhanuhar, aged about 45 years.

All R/o Karrihapara Bhaisamuda, Police Station Urga, District Korba (C.G.)

---- Petitioners**Versus**

- State Of Chhattisgarh Through : The District Magistrate, Korba (C.G.) (through Police of Police Station Urga), District Korba. (C.G.)

---- Respondent

For Applicants	:	Shri Anil Gulati,	Advocate
For Respondent	:	Shri Adil Minhaj, G.A.	

Hon'ble Smt Justice Rajani Dubey**Order on Board****31/08/2020**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No. 195/2020 registered at Police Station Urga, District Korba (C.G.) for the offence punishable under Section 304 IPC, 9, 39 of Wildlife Protection Act, 1972 and Section 139 of C.G. Electricity Act.
2. The allegation against the present applicants is that they had laid down live electric wire for hunting wild animal and on 17.06.2020 at 2.00 AM when complainant Dilharan Dhanuhar and his family members were passing through the field of

father of applicant No.2 -Ram Prasad, his nephew namely Dilharan came into the contact of live electric wire and died on the spot and his daughter also suffered from electrocution. Based on this, offence has been registered. The present applicants have been taken into custody on 23.06.2020.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that apart from the memorandum statement there is no incriminating material on record which could be the basis for convicting the applicants. He also submits that the applicants are ready to furnish adequate security and shall abide by all the directions and conditions which may be imposed by this Hon'ble Court. He also submits that the applicants are in jail since 23.06.2020 and there is no likelihood of their case being decided in near future. Therefore, also they may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact the applicants are in custody since 23.06.2020 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.

7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- each with one solvent surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed, till the final disposal of trial.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge

Pekde