

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5740 of 2020

1. Devlal, S/o Subhash Chakradhari, aged about 30 years.
2. Girish Yadav, S/o Manbodh Yadav, aged about 31 years.

Both R/o village Baldih, Chowki Bundeli, PS Tendukona,
Dist. Mahasamund (CG).

---- Applicants

Versus

1. State Of Chhattisgarh Through the Forest Division,
Pithora, Dist. Mahasamund (CG).

---- Respondent

For Applicants Mr. Raghvedra Pradhan, Advocate

For Respondent /State Ms Fouzia Mirza, Addl. Adv. General

(Proceedings through Video Conferencing)

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

9/11/2020

1. The applicants have preferred this first bail application under Section 439 of CrPC, as they are arrested in connection with Crime No.POR No.14326/2005, registered at Police Station Forest Division, Pithora, District Mahasamund (CG), for the offence punishable under Sections 09, 39, 50 & 51 of the Wild Life Protection Act.

2. Applicants have caused death of Bear (भालू) by erecting illegal live electric wire from a transformer.
3. Learned counsel for the State would oppose the bail application on submission that the applicants are habitual in committing such offence.
4. Considering the fact that the offences are triable by the Judicial Magistrate First Class and the applicants are in jail since 5-8-2020, I am of the opinion that present is a fit case to release the applicants on regular bail with the following conditions :-

- they shall appear before the concerned Police Station on first day of every month during the pendency of trial;
- they shall not get involved in any criminal offence during the pendency of trial;
- registration of any criminal case against them would entail automatic withdrawal/ cancellation of this bail order and the concerned Police shall be entitled to arrest them immediately on registration of fresh criminal case against them after informing the trial Magistrate;
- the applicants shall execute a personal bond for a sum of Rs.50,000/- each with one surety for the like amount to the satisfaction of the trial Court; and

- they shall appear before the trial Court on each and every date given by the said Court.

5. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri