

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.5576 of 2020

1. Chainsing Markam, S/o Lalsay Markam, Aged About 55 Years
(Age wrongly mentioned in order sheet)
2. Sanjeet Markam, S/o Chainsing Markam, Aged About 34 Years
3. Ranjeet Markam, S/o Chainsing Markam, Aged About 29 Years

All are R/o Sirkatta, Thana Dugli, District Dhamtari, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh, Through Police Station Dugli, District Dhamtari, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Samir Singh, Advocate
Shri Sudeep Agrawal, Dy. AG

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

08/10/2020

1. The applicants have preferred this bail application under Section 439 of the CrPC, as they have been arrested in connection with Crime No.18/2020, registered at Police Station Dugli, District Dhamtari (C.G.) for the offence punishable under Sections 429 & 201/34 of IPC and Sections 9, 49B & 51-1A of the Wild Life (Protection) Act, 1972.
2. The applicants have allegedly caused death of elephant by electrocution about 4-5 years back, which came to the notice of

the villagers when the applicants removed the elephant teeth and were trying to sell it. On their memorandum, some bones of the elephant have been recovered from a place near their house, however, the fact remains that the alleged incident happened 4-5 years back.

3. Learned State counsel would vehemently oppose the bail application on submission that the offence carries minimum punishment of RI for 3 years and protection of elephant is necessary to save the environment.
4. Considering the entire facts situation of the case and for the fact that the applicants are in jail since 26.07.2020 and the offences are triable by the JMFC and the charge sheet has already been filed, this Court is inclined to release the applicants on bail.
5. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
Prashant Kumar Mishra
Judge