

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7734 of 2020

Sahdev Pradhan S/o Lalo Pradhan Aged About 45 Years R/o Village Kishanpur,
Police Station Pithora, District Mahasamund Chhattisgarh., District :
Mahasamund, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Forest Department Pithora, District
Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Respondent

For Applicant	:	Shri Utkal Pradhan, Advocate
For State	:	Shri K.K. Singh, Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/12/2020

Heard.

1. The applicant is arrested in connection with POR (Crime) No.9696/16 registered in Forest Circle (PS)- Forest Department Pithora, District, Mahasamund (CG) for alleged commission of offence under Sections 9, 39, 50, 51 of the Wild Life Protection At, 1972.
2. Case of the prosecution, in brief, is that the applicant and co-accused laid the trap by laying live electric wire in which an elephant was entrapped and died.
3. Learned counsel for the applicant would submit that on the basis of suspicion, the applicant has been involved in the commission of offence. He submits that there is no evidence that the applicant was seen laying the trap. Only because some pieces of glass and the naked wire has been found in the open field belonging to the applicant, the applicant is being involved in the alleged offence. Learned counsel for the applicant further submits that the

investigation is complete and charge sheet has been filed and as the offence is not punishable with death, at this stage, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application by submitting that the applicant is involved on the basis of recovery of naked live wire and glasses found in the field belonging to the present applicant, therefore, a prima facie case is made out against the applicant.
5. Taking into consideration the submissions made by learned counsel for the parties, considering the nature of allegation and further considering that the investigation is complete, charge sheet has been filed and the applicant is in jail since 27.9.2020, I am inclined to grant bail to the applicant.
6. The application is accordingly allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:-
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Manindra Mohan Shrivastava)
Judge