

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7698 of 2019**

1. Aasharam S/o Basulal Aged About 50 Years, R/o Junwani, Police Station And Tahsil Rayghar, District Navrangpur, Odisha.
2. Chakrodhar S/o Kedar Goud Aged About 26 Years, R/o Dhaarnibeda, Police Station And Tahsil Jhorigaan, District Navrangpur, Odisha.
3. Pharso Ram S/o Kamluram Gaoud Aged About 50 Years, R/o Junwani, Police Station And Tahsil Rayghar, District Navrangpur, Odisha.
4. Punaauram S/o Keshavram Gond Aged About 62 Years, R/o Kotribeda, Police Station And Tahsil Rayghar, District Navrangpur, Odisha.

----Applicants

Versus

- State Of Chhattisgarh, Through : The Range Officer Forest Department, Circle South Udantisitanadi Tiger Reserve, Mainpur, District Gariyabandh, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Anjinesh Shukla, Adv.
For Respondent/State	:	Mr. Anil Tripathi, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20/01/2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with P.O.R. No. (Crime No.) (Forest) 14308/2004 registered at Police Station-Mainpur, District - Gariyabandh (C.G.) for the offence punishable under Sections 27, 28, 29, 31, 38 (K) and 51 of Wild Life Protection Act.
2. The prosecution story, is that on 10.10.2019 an information was received by secret informant that the applicants were cutting down trees in the reserved forest area. At that time investigating team reached the spot and seized axe from the applicants. Based on

this, offence has been registered against the present applicants.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the applicants are in jail since 12.10.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the present applicants are in jail since 12.10.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**