

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8277 of 2019**

- Ishwar Gond S/o Ramsingh Gond Aged About 48 Years Caste Gond, R/o Village Farsara, Post Office And Police Station Indagaon, District Gariyaband Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Forest Range Officer, Indagaon (Dhurwadudi) Bafar, District Gariyaband Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Shivendu Pandya, Advocate.
For State	:	Mr. Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06.02.2020**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing his on regular bail during trial in connection with Forest Crime (P.O.R.) No. 14273/20 registered at the Forest Range Officer, Indagaon (Dhurwadudi), Bafar, District Gariyaband (C.G.) for the offence punishable under Sections 27, 29, 31, 38 (k) & 51 of the Wild Life Protection Act, 1972, Sections 26(a)(f) & 52 of Indian Forest Act, 1927, Section 2(ii) Forest (Conservation) Act 1980, and Sections 3(1)(a) & 4 of the Prevention of Damage to Public Property Act. 1984.
- The allegation against the present applicant is that, he has cut down the 25 various costly trees of the Forest Reserved Area and burned 5 trees as well. Based on that, offence has been registered against the applicant and he has been arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that applicant has been arrested only on the suspicion as nothing has been seized from the possession of applicant. Applicant is in jail since 23.11.2019 and he is ready to furnish adequate surety and shall abide by all the directions and conditions which may imposed by this Court, the present applicant may be released on bail.

- Per contra, State counsel strongly opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as the offence is triable by Judicial Magistrate First Class, 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 applicant on bail. Accordingly, the application is allowed.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge