

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1838 of 2021

1. Shriram Bariha, S/o. Shri Chaitram Bariha, Aged About 40 Years.
2. Battulal, S/o. Shri Dharam Singh Chauhan, Aged About 46 Years.
3. Hatau, S/o. Shri Mayaram Bariha, Aged About 35 Years.
4. Mayaram, S/o. Shri Kanda Bariha, Aged About 60 Years.

All are R/o. Village Devgaon, Thana Rajadevari District Baloudabazar Bhatapara, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through the Forest Officer, Forest Region Devpur District Baloudabazar Bhatapara Chhattisgarh

---- Respondent

For Applicants : Mr. Sumit Shrivastava, Advocate

For Respondent : Mr. Aditya Bhardwaj, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

ORDER

05.07.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime/POR No.13217/2019 registered at Forest Officer, Forest Region Devpur, Distt. Baloudabazar-Bhatapara (C.G.) for the offence punishable under Sections 2, 9, 39, 44, 50, 51 & 52 of Wild Life Protection Act, 1972.
2. As per the prosecution case, the applicants by laying the electric wire by trap has hunted a Sambhar on 22.01.2021. The forest officers when came to know about the facts were able to caught hold of the applicants and seized the meat and other body parts of the Sambhar.
3. Learned counsel for the applicants would submit that the applicants are in jail since 25.01.2021, the charge sheet has been filed and no

further investigation is necessary, therefore, the applicants may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the fact that the applicants are in jail since 25.01.2021 and the charge sheet has been filed and further taking into the nature of allegation, no further investigation is required, I am inclined to release the applicants on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
6. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge