

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7621 of 2020**

- Gautriha Bariha S/o Patthar Bariha Aged About 50 Years R/o Gram Pakrid , Police Station Rajadevari, District (Revenue And Civil) Balodabazar Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Forest Circle Devpur District (Revenue And Civil) Balodabazar Chhattisgarh.

---- Respondent

MCRC No. 7044 of 2020

- Dharmendra Kashyap S/o Malikram Kashyap Aged About 22 Years R/o Vill. Kalmidadar, Forest Range, Devpur, Distt. Balodabazar (Chhattisgarh)

----Applicant

Versus

- State Of Chhattisgarh Through S.H.O., Police Station- Forest Range- Devpur, Distt. Balodabazar (Chhattisgarh)

---- Respondent

For Applicant in MCRC No.7621/2020:- Mr. Sanjeev Das, Adv
 For Applicant in MCRC No.7044/2020:- Mr. Soumitra Kesharwani, Adv
 For Respondent-State :- Mr. Ayaz Naved, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

07/01/2021

1. Since both the bail applications are arising out of same crime/P.O.R. number, they are being heard and decided by this common order.
2. These are the applications filed under Section 439 of the Cr.P.C. for

grant of regular bail to the applicants, who have been arrested in connection with Crime/ P.O.R. No.13224 of 2007, registered at Forest Circle – Devpur, Distt. (Revenue & Civil) Balodabazar C.G. for the offences punishable under Sections 2, 9, 27, 29, 32, 39, 44, 48 (A), 50 & 51 of the Wildlife Protection Act, 1972.

3. As per the prosecution case, applicants have allegedly hunted and killed Sambar in the reserved forest area of Barnawapara within forest range of Devpur. While the meat/flesh has been recovered from Dharmendra Kashyap, the articles like G-wire which were used for supplying 11,000 volt electric supply has been recovered from Gautriha Bariha.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering that the applicants are in jail since 21.09.2020; charge sheet has already been filed and also for the fact that offences are triable by Judicial Magistrate First Class, I am inclined to release the applicants on bail.
6. Accordingly, the applications are 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

Ayushi