

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8596 of 2020**

1. Bhojram S/o Shri Nanhu aged about 40 Years Caste- Teli, R/o Village- Dudumchunwa, Tahsil-Saraypali, District- Mahasamund, Chhattisgarh.
2. Indramani S/o Shri Salikram Aged About 28 Years Caste- Teli, R/o Village- Dudumchunwa, Tahsil- Saraypali, District- Mahasamund, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through- The Forest Circle/ Forest Department Saraypali, District- Mahasamund, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Roop Naik, Advocate
For Respondent/State	: Ms. Anjali Singh Chauhan, P. L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01/04/2021**

- 1) Heard
- 2) 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 Crime No. 14338/01 registered at Police Station- Forest Circle/Forest Department Saraypali, District- Mahasamund (C.G.) for the offence punishable under Sections 9, 50 & 51 of Wild Life Protection Act and Sections 7, 55 (2), 58 of Biological Diversity Protection Act.
- 3) Allegation against the present applicants is that both the accused persons alongwith other persons were involved in killing of wild animal i.e. one Tendua and one Gaur by using electric current, thereafter, they tried to disappear the dead

body of the said wild animal.

- 4) Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. He further submits that other similarly situated co-accused persons have already been granted bail by this Court vide order dated 09.03.2021 passed in MCRC No. 464 of 2021. The applicants are in jail since 09.11.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
- 5) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 6) Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that other co-accused persons have been granted bail by this Court vide order dated 09.03.2021 passed in MCRC No. 464 of 2021. The applicants are in jail since 09.11.2020 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 them executing a personal bond in the sum of Rs.1,00,000/- each, with one 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.

Certified copy as per rules

Sd/-

(Rajani Dubey)
Judge

amita