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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8407 of 2026

- Jay Prakash Dhanuwar S/o Suk Lal Dhanuwar, Aged About 20 Years R/o Village Chhindbhauna, Tahsil Tamnar, District Raigarh (C.G.)

--- **Applicant**

versus

- State Of Chhattisgarh Through Thana In- Charge, P. S. Forest Range Officer, District Raigarh (C.G.)

--- **Non-applicant**

WITH

MCRC No. 8994 of 2026

- Lakhan Yadav S/o Prem Yadav Aged About 26 Years R/o Village Chhindbhauna, Tehsil Tamnar, District Raigarh. Chhattisgarh.

- Heera Dhanwar S/o Kirtan Dhanwar, aged about 26 R/o Village Chhindbhauna, Tehsil Tamnar, District Raigarh. Chhattisgarh

---**Applicants**

Versus

- State Of Chhattisgarh Through- Thana In Charge P.S. Forest Range Officer, District Raigarh Chhattisgarh.

--- **Non-applicant**

For Applicants	:	Mr. Rajendra Tripathi, Advocate
For Non-Applicant	:	Mr. Keshav Prasad Gupta, G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

05.10.2026

1. These are the first bail applications filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants who have been arrested in connection with Forest Crime No. 4679/10 of year 2026 registered at Forest Range Raigarh (C.G.), for the offence punishable under Sections 9, 39, 50, 51 and 52 of Indian Wild Life Protection Act, 1972.

2. The case of the prosecution, in brief, is that on 20.07.2026, acting on secret information, forest officials seized wild boar meat from the possession of one Tikaram, who was subsequently taken into custody. During investigation, the names of the present applicants surfaced in the memorandum statement of Tikaram, pursuant to which they were arrested and hooking iron wire was recovered from their possession.

3. Learned Counsel for the applicants submits that present applicants have falsely been implicated in the present case as they were not involved in killing wild boars. He further submits that seizure of hooking iron wire from the applicants does not confirm their presence in commissioning of afore-stated offence. He also submits that applicants have no criminal antecedents and charge-sheet has been filed but they are languishing in jail since 27.07.2026 and conclusion of the trial is likely to take quite long time, therefore he prays for grant of regular bail to the applicants.

4. On the other hand, learned counsel for the State opposes the bail application and submits that the charge-sheet has been filed in the present case before the competent Court and the applicants were involved in killing a wild boar and selling its meat, therefore they are not entitled for grant of regular bail in the present case.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Admittedly, meat of wild boar was seized from the exclusive possession of Tikaram and he was arrested. Present applicants were arrested on the basis of memorandum statement of Tikaram and hooking iron wire was seized from their possession. It is contended by learned State counsel that seizure of hooking iron wire from the applicants establishes their presence in commissioning of afore-stated offence. However, it is well-settled principle of law that Court's role at the bail stage is confined to verifying the existence of prima-facie case and Courts are precluded from undertaking a detailed examination of evidence that touch upon the merits of the case.

7. Taking into consideration the aforesaid discussion coupled with the fact that the applicants have no criminal antecedents, charge-sheet has been filed before the competent Court and they are in jail since 27.07.2026, conclusion of the trial may take some more time, this Court is of the view that the applicants are entitled to be

released on bail in this case.

8. It is directed that in the event of the applicants executing a personal bond for a sum of **Rs. 50,000/-** to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-

(a) they shall make themselves available for interrogation by the police officer as and when required;

(b)they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court; and

(c) they shall not act in any manner which will be prejudicial to a fair and expeditious trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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