CGHC010370382026 2026:CGHC:43626

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8926 of 2026

Tapeshwar Yadav S/o Mandees Yadav Aged About 26 Years R/o Village- Nawadih, Police Station- Trikunda, District- Balrampur-Ramanujganj (C.G.)

... Applicant

versus

State Of Chhattisgarh Through Forest Range, Wadrafnagar, District- Balrampur-Ramanujganj (C.G.). **... Non-Applicant**

For Applicant	**:**	Mr. Navneet Kumar Yadav, Advocate
For Non-Applicant/State	**:**	Mr. Kawaljeet Singh Saini, Deputy Government Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

08/10/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with POR No. 22261/5 registered at Forest Range Wadrafnagar, District Balrampur-Ramanujganj (C.G.) for offences punishable under Sections 33(1) and 52 of the Indian Forest Act, 1927; Sections 5(1) & 16 of Forest Produce Trade Act and Rule 1 of Section 22 of the CG Forest Produce Transit Rule; and Section 3(1) of the Prevention of Damage to Public Property Act, 1984.

2. Case of the prosecution, in brief, is that on 26.08.2026, upon receiving secret information, the forest officials of Forest Range Wadrafnagar intercepted a pick-up vehicle bearing registration No. UP-64-CT-7280 near village Basantpur. On search, 20 pieces of illicitly cut Sal chirran (measuring 2.145 cubic metres) cut from Forest Cell No. RF 786 under Forest Range Balrampur were recovered and seized from the illegal transportation of the accused persons, causing an estimated loss of ₹59,694/- to the forest revenue, and the present forest crime was registered against the applicant and co-accused.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the crime. It is submitted that as per the offence registered against the present applicant, the maximum sentence provided is up to five years. It is further submitted that though the applicant has one previous criminal antecedent registered at Police Station Trikunda, District Balrampur-Ramanujganj for offences under Sections 147, 148, 294, 506, 323, 324, 325 read with Section 149 of the Indian Penal Code and Section 3(2)(v-a) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, he has already been granted bail in the said case, and he has no previous antecedent under the Forest Act. The applicant has been languishing in jail since 27.08.2026 and conclusion of the trial is likely to take considerable time; therefore, the applicant may be enlarged on regular bail.

4. On the other hand, learned counsel appearing for the State opposes the bail application and submitted that the applicant along with co-accused was caught red-handed transporting illicit Sal timber, causing loss of public property/revenue, further, the applicant has one criminal antecedent; thus, he may not be enlarged on bail.

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

6. Taking into consideration the facts and circumstances of the case, the nature and gravity of the allegations, the value of the seized forest produce, and the fact that the alleged offences entail a maximum punishment of up to five years; further considering that in the sole criminal antecedent registered against the applicant, he has already been enlarged on bail, he is in jail since 27.08.2026, and the conclusion of the trial is likely to take some time, this Court, without commenting on the merits of the case, is inclined to release the applicant on regular bail.Accordingly, the application is **allowed**.

7. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs.50,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail, on following conditions :-

   (i) he 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,

   (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and

   (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

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

Sd/-

Rakesh Mohan Pandey
JUDGE

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