CGHC010372442026 2026:CGHC:43293

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1565 of 2026

Nohar Bhanu S/o Kangla Bhaina Aged About 35 Years R/o Badhawandand P.S. Gaurela, District- Gaurela - Pendra- Marwahi (C.G.)

--- **Applicant (s)**

versus

State Of Chhattisgarh Through Forest Division Marwahi, Circle Pendraroad, District- Gaurela - Pendra- Marwahi (C.G.)

--- **Respondent(s)**

MCRCA No. 1591 of 2026

Shiv Kumar Gurjar S/o Shri Jagdish Prasad Gurjar, Aged About 45 Years R/o Badhawandand, P. S. Gaurela, Police Chowki Khodri, Tahsil - Pendraroad, District G. P. M. (C. G.)

--- **Applicant (s)**

Versus

State Of Chhattisgarh Through The Forest Range Officer Gaurela, Forest Division Marwahi / Pendraroad, District Gaurela - Pendra - Marwahi, C.G.

--- **Respondent(s)**

MCRCA No. 1601 of 2026

Satyanarayan Gurjar @ Sattu S/o Shri Kanshi Gurjar, Aged About 48 Years R/o Badhawandand, P.S. Gaurela, District Gaurela-Pendra-Marwahi (C.G.)

--- **Applicant (s)**

Versus

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State Of Chhattisgarh Through Forest Division Marwahi, Circle, Pendraroad, District Gaurela-Pendra-Marwahi (C.G.)

--- Respondent(s)

For Respective Applicants	:	Mr. Yogendra Chaturvedi and Mr. Aman Sharma, Advocates
For State	:	Mr. Amit Verma and Dr. Surendra Dewangan, Panel Lawyer

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order On Board

06/10/2026

1. Since MCRCA No.1565 of 2026, MCRCA No. 1601 of 2026 and MCRCA 1591 of 2026 arise out of the same crime number, all the applications are being heard together and are being disposed of by this common order.

2. Applicants have filed this applications under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "*BNSS*") for grant of anticipatory bail as they are apprehending their arrest in connection with Crime No.18794 of 2008 registered at Forest Division- Marwahi, Circle Pendraroad, District- Gaurela-Pendra-Marwahi (CG) for offence punishable under Sections 52, 33 (1) A of the Indian Forest Act, Sections 5 (1), 5 (2), 15, 16 of the MP/CG Van Upaj (Vyapar Viniyaman) Adhiniyam,1969, Section 3 (1) of Prevention of Damage to Public Property Act, Sections, 2, 7 and 55 of Biological Diversity Act, respectively.

3. Case of the prosecution, in brief, is that on 13.08.2026, the applicants along with the other co-accused persons, entered the forest area and illegally fell Teak trees without any valid authority

of law. During course of investigation, one of the accused persons, namely Sundar, was arrested. It is alleged that, during his interrogation, he made a memorandum statement, pursuant to which certain facts relating to the alleged occurrence were disclosed. On the basis of the said memorandum and the materials collected during the course of investigation, applicants were also made accused.

4. Learned counsel for the applicants would submit that applicants are innocent. They have not committed any such offence. They have been falsely implicated only on the basis of memorandum statement of Sundar *alias* Rahul who was caught red-handed on the spot while sawing Teak tree manually in the forest area. Hence, they may be extended benefit of anticipatory bail.

5. On the other hand, learned counsel for the State opposes the submission of learned counsel for the applicants and submits that according to material available in the case diary, it is appearing that Sundar who was arrested on spot was working on instructions of these applicants. There are two criminal antecedents of applicant- Satyanarayan Gurjar of the year 2013, one of NDPS and another of theft of motor pump and against applicant -Shiv Kumar Gurjar, there are antecedent of commission of five forest offences. He also submits that against applicant- Nohar Bhanu there is one criminal incident of commission of alleged forest offence bearing Crime No.161/2013.

6. I have heard learned counsel for the parties and perused the documents available on record.

7. Taking into consideration the facts and circumstances of the case, submission of learned counsel for the parties, nature of allegation, considering that there are criminal track record of applicants, as against applicants- Nohar Bhanu and Shiv Kumar Gurjar, there are criminal antecedent of commission of forest offence and against applicant- Satyanarayan, there is criminal antecedent of commission of offence of theft, I am not inclined to extend benefit of anticipatory bail to applicants.

8. Accordingly, all the applications are rejected.

Sd/-
(Parth Prateem Sahu)
Judge

Praveen