CGHC010400692026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9630 of 2026

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Date: 2026.10.29 17:42:10 +0530

1 - Shivprasad S/o Siltu Aged About 37 Years R/o Village - Sonhara, Police Station - Balrampur, District Balrampur-Ramanujganj Chhattisgarh

2 - Anil S/o Tileshwar Aged About 50 Years R/o Village - Sonhara, Police Station - Balrampur, District Balrampur-Ramanujganj Chhattisgarh

... Applicants

versus

State Of Chhattisgarh Through The Forest Range Officer, Forest Range, Balrampur, District Balrampur-Ramanujganj Chhattisgarh

... Non-Applicant

For Applicant	:	Shri Ajeet Kumar Yadav, Advocate.
For Non-Applicant/State	:	Shri Sourabh Sahu, Panel Lawyer

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

29/10/2026

1. This is the **First bail application** 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 Crime (P.O.R) No.23698/02 registered at Police Station Forest Range, Balrampur, District Balrampur-Ramanujganj (C.G.), for the offence punishable under Sections 9, 39(A), 39(B), 39(D), 50, 51(1) & 52 of Wildlife Protection Act, 1972 (hereinafter referred to the W.P. Act, 1972)

2. As per the case of the prosecution, on secret information, the Forest Officials seized feathers of Indian Spotted Eagle and during course of investigation, it was informed by the present applicants that they killed the said bird and ate its meat and also consumed liquor. The Forest Officials seized the meat of Indian Spotted Eagle, one knife and other remains of feathers and registered the offence as stated above.

3. Learned counsel for the applicant would contend that the applicants are innocent persons and they have falsely been implicated; charge sheet has already been filed; they are in jail since 20.08.2026; they have no criminal antecedents and conclusion of the trial is likely to take some considerable time. Therefore, he would pray that the bail application may be allowed and the applicants may be enlarged on bail.

4. On the other hand, learned counsel for the State would oppose the submissions advanced by the learned counsel for the applicant. He would submit that minimum punishment provided under Section 51 of the W.P. Act, 1972 is 3 years with fine of Rs.25,000/- which may extend to 7 years. He would contend that cooked meat of the said bird was seized from the exclusive possession of the applicants along with remains of the said bird, therefore, the bail application deserves to be rejected.

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

6. Having considered the fact that charge-sheet has already been filed; applicants are in jail since 20.08.2026; they have no criminal

antecedents; conclusion of trial may take some considerable time, without making any observation on merits of the matter, I am inclined to grant bail to the applicants. Accordingly, the instant bail application is **allowed.**

7. It is directed that the applicants shall be released on bail on each of them furnishing a **personal bond** in sum of Rs.50,000/- with one surety each in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) 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;

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

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

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

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Anjani