

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3003 of 2015**

- Satish Kumar Agrawal S/o Late Shitaram Agrawal Aged About 31 years R/O Village Kaında, P.S. Kota, Tahsil Kota, District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House In Charge, P.S. Ratanpur, District Bilaspur Chhattisgarh

---- Respondent

For Applicant: Shri Aditya Sharma, Advocate.
For Respondent: Shri Neeraj Pradhan, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****01/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 104/2015 registered at Police Station Ratanpur, District Bilaspur for the offences punishable under Sections 4,6 & 10 of Chhattisgarh Agricultural Cattle Preservation Act, 2004 and Section 11 of Prevention of Cruelty to Animals Act, 1960.

(2) Case of the prosecution, in brief, is that in the intervening night of 26/27.05.2015 applicant was found in transporting 20 scheduled cattle animal in the Truck bearing registration No.U.P.-70/C.T.-7644 for the purpose of slaughtering and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the offence in question as he has not committed any offence and he was only sitting in the vehicle taken lift at Kota as at that time there was no other transport facility at Kota for travelling to village Kendra, where he resides and, as such, neither the applicant is owner of the truck nor he is driving the vehicle and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; and considering the defence of the applicant; and his pre-trial detention and he is differently abled person; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)

Judge

D/-

