

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 592 of 2015

1. Shabbir Ansari & Anr. S/o Ulfat Ansari Aged About 36 years
2. Imran Qureshi S/o Yasin Qureshi Aged About 40 Years

Both are Caste Musalman R/o Village - Bilaspur, Masanganj, P.S. - Civil Line,
Bilaspur, Tahsil & Civil & Revenue Distt. Bilaspur Chhattisgarh

---- **Petitioner**

Versus

State Of Chhattisgarh Through, Station House Officer, Police Station Pali, Distt.
Korba Chhattisgarh

---- **Respondent**

For Applicants	:	Shri Awadh Tripathi, Advocate
For Respondent/State	:	Ms. Shubha Shrivastava, Panel Lawyer.

Order On Board

24/07/2015

This application under Section 438 of Cr.P.C. has been filed by the applicants apprehending their arrest in connection with Crime No.83/2015, registered in Police Station-Pali, District-Korba, for alleged commission of offence under Sections 4, 6, 10, & 11 of the Chhattisgarh Krishak Pashu Parirakshan Act, 2004 and Section 34 of the IPC.

Case of the prosecution, in brief, is that the agricultural cattle were being transported for being slaughtered. The allegation against the applicants is that it is the applicants' vehicle which was deployed for the purpose by the other co-accused and the driver of the vehicle, upon being arrested, has stated the name of the applicants.

Learned counsel for the applicants submits that the only material against the applicants is that the vehicle is owned by the applicants. Applicant was not found at the spot. Statement under Section 161 Cr.P.C. given by the driver is inadmissible in evidence.

On the other hand, learned counsel for the State submits that the vehicle is owned by the applicants and, therefore, prima facie their involvement is made out.

Taking into consideration the submissions made by learned counsel for the parties, considering that the vehicle which was found carrying agriculture cattle for slaughter, I am not inclined to grant anticipatory bail to the applicants.

The application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge