

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3961 OF 2015**

1. Janiyal Baghel, aged 25 years, S/o Pandri Baghel, Caste Mahra, R/o Vil: Nalpawand, PS-Nagarnar, Civil & Rev. Distt.- Bastar-Jagdalpur (C.G.)
2. Anturam, S/o Dundu, Caste Muriya, aged 50 years,
3. Jalandhar, S/o Kamlu, Caste Mahra, aged 35 years,
Applicant No. 2 & 3 R/o Vil: Champapadar Dhodhapara, Choucki-Bakawand, P.S. Nagarnar, Civil & Rev. Distt.-Bastar-Jagdalpur (C.G.)
4. Dhansay, S/o Fakir Baghel, Caste Mahra, aged 35 years, R/o Vil: Aasna, PS-Kotwali, Civil & Rev. Distt.-Bastar-Jagdalpur (C.G.)

---Applicants**Versus**

State of Chhattisgarh Through: PS Nagarnar, Civ: & Rev.: Dist: Bastar-Jagdalpur (C.G.)

---Non-applicant

For Applicants	:	Mr. Devershi Thakur, Advocate
For Non-applicant	:	Mr. Lav Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/08/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 141/2015, registered at Police Station Nagarnar, Dist: Bastar-Jagdalpur (C.G.), for the offence punishable under Sections 4, 6, 10 of the C.G. Krishak Pashu Parirakshan Adhiniyam, 2004, read with Section 11 of Prevention of Cruelty to Animals Act, 1960 and under Section 91 of Motor Vehicle Act.
2. Case of the prosecution, in brief, is that, present applicants were found transporting the three agricultural scheduled animal to other State for the purpose of slaughtering and thereby committed offence.
3. Learned counsel for the applicants would submit that applicants

have not committed any offence and have been falsely implicated in offence in question. He would further submit that applicants were transporting the animals for agricultural purpose. He would lastly submit that charge sheet has been filed and applicants are in jail since 17/07/2015, therefore, they may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

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

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicants in offence in question; charge sheet has been filed and pretrial detention of the applicants, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is allowed.

8. It is directed that applicants, namely, Janiyal Baghel, Anturam, Jalandhar and Dhansay, shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court. Applicants shall appear regularly before the Investigating Officer/concerned trial Court.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE