

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6338 of 2015

Sameer Khan, son of Rahman Khan, aged about 23 years, resident of Goverdhan Nagar, Near Hanuman Talab, Tumsar, P.S. Tumsar, District Bhandara (Maharashtra)

Versus

State of Chhattisgarh, through Police Station Incharge, P.S. Gaindatola, Distt. Rajnandgaon (C.G).

For the applicant	:	Mr. Arvind Dubey, Advocate
For the Respondent	:	Mr. S.R.J. Jaiswal, Panel Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24 .11.2015

1. This is an application filed under section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant in connection with Crime No. 49/2015 registered at Police station Gaindatola, Distt. Rajnandgaon (C.G) for the offences punishable under sections 4, 6, 10, 11 of Chhattisgarh Agriculture Cattle Preservation Act & Section 47, 48, 49, 50, 52 of the Animal Cruelty Act & Section 66/192 of Motor Vehicle Act.
2. Prosecution story, in brief, is that on 22.08.2015 the complainant namely Lakhan Lal, Sarpanch, lodged a First Information Report before the Police that the villagers caught hold of the applicant and other co-accused while transporting cattle to slaughter house. It is alleged that the applicant and other co-accused have heavily over crowded as many as 40 cattle in the Truck bearing No.C.G.04/HT-4757 without giving food and water and due to congestion and suffocation, some of the animals were found dead in the truck and thereby the offence is committed.
3. Learned counsel for the applicant submits that he has been falsely

implicated in the case and has not committed any offence. He further submits that similarly placed co-accused namely Sayyad Sultan @ Sonu and Sheikh Shahjad have been granted bail by this Court in M.Cr.C.No.5730/2015 on 29.10.2015, therefore, on parity the present applicant may also be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail. However, he does not dispute the fact that similarly placed co-accused have been granted bail by this Court.
5. Considering the fact that similarly placed co-accused have been granted bail by this Court and that the applicant is in jail since 23.08.2015, I am inclined to release him on bail.
6. Accordingly the application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
7. Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE