

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 927 of 2015

Shiva @ Shiv Kumar S/o Ramsharan Aged About 35 Years R/o Village Bagbud,
Police Station Belgahana, Permanent R/o. Mainpat, Police Station Mainpat, Distt.
Surguja Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Gourela,
District Bilaspur Chhattisgarh.

---- Respondent

Smt. Hamida Siddiqui, counsel for the applicant/s.
Shri Ashok Swarnakar, Panel Lawyer for the State.

Order On Board

07/10/2015

Heard.

The applicant is apprehending his arrest in connection with Crime No.154/15 registered at police station – Gourela, district – Bilaspur (CG) for alleged commission of offence under Section 379 of IPC.

2. Prosecution case is that upon information of applicant being suspect of having stolen cattle, the police authority raided the house of the applicant wherefrom, 21 cattle were recovered.

3. Learned counsel for the applicant submits that without any basis, offence has been registered against the applicant. It is submitted that the applicant is an agriculturist and he has purchased number of cattle. He has placed on record receipt issued by one Rajkumar that in the month of February, 2011, he sold 15 cattle to the applicant. He submits that the other cattle were also duly purchased by the applicant.

4. On the other hand, learned State counsel submits that the complaint was made that in a short period, the applicant suddenly came in possession of large

number of cattle in respect of which, complaint has been made and applicant, instead of satisfying the authority, run away from his present residence.

5. Considering the submission of learned counsel for the parties, particularly considering the receipt showing purchase of 15 cattle, it would be proper to grant anticipatory bail to the applicant.

6. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the arresting officer on his furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the arresting officer with following further conditions that:

- (i) the applicant shall make himself available for interrogation by the police officer as and when required;
- (ii) the applicant 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 facts to the Court or to any police officer;

Certified copy as per rules.

Sd/-

Manindra Mohan Shrivastava
Judge