

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 3186 of 2015

- Abid Ansari s/o. Hasan Ansari aged about 22 years, r/o. Village Korwadih, P.S. Garhwa, Civil and Revenue District Garhwa (Jharkhand).

---- Applicant

Versus

- State Of Chhattisgarh Through: the Police Station Trikunda Distt. Balrampur - Ramanujganj (CG).

---- Respondent

&

M.Cr.C.No.3009 of 2015

1. Pradeep Gupta s/o. Gopi Sao, aged about 35 years, r/o. village Trikunda P.S. Trikunda Civil District Balrampur, Revenue District Balrampur-Ramanujganj (CG).
2. Ramratan Gond s/o. Ledo Gond, aged about 35 years, r/o. village Gadgodi, P.S. Trikunda, Civil District Balrampur, Revenue District Balrampur-Ramanujganj (CG).

---- Applicants

Versus

- State Of Chhattisgarh Through: the Police Station Trikunda Distt. Balrampur - Ramanujganj (CG).

---- Respondent

For Applicants	:	Mr. A.N. Pandey, Advocate.
For Respondent/State	:	Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

15/7/2015

1. Since the above mentioned two bail applications arise out of same Crime No. 16 of 2015 and common facts of law are involved, therefore, they are heard analogously and are being decided by this common order.
2. The applicants have moved these applications under Section 439 of the Cr.P.C. for grant of regular bail, who have been arrested on 4-4-2015 and

19-5-2015 in connection with Crime No. 16 of 2015 registered at Police Station Trikunda, District Balrampur-Ramanujganj (CG), for the offence punishable under Sections 4,6 & 10 of C.G. Krishak Pasu Parirakshan Adhiniyam, 2004 and Section 11(1) A & B of Pasu Krurta Niwaran Adhiniyam.

3. The case of the prosecution, in brief, is that on 4-4-2015 the present applicants were found transporting 40 agricultural schedule animals for the purpose of slaughtering to other State and thereby they committed the aforesaid offence.
4. Learned counsel appearing for the applicants would submit that the applicants have not committed any offence and they have been falsely implicated in the case. He would further submit that the applicants have purchased the aforesaid agricultural schedule animals for agricultural purpose and they were not being transported for the purpose of slaughtering, charge-sheet has been filed, they are in jail since 4-4-2015 and 19-5-2015 and no useful purpose would be served by detaining them in jail, therefore, they may be released on bail.
5. On the other hand, learned counsel for the State opposing the bail application would submit that 40 agricultural schedule animals were recovered from applicant Abid Ansari.
6. I have heard the counsel appearing for the parties and perused the case diary.
7. Taking into consideration all the facts and circumstances of the case nature and gravity of the offence and recovery of 40 agricultural schedule animals was made from applicant Abid Ansari, I am not inclined to grant bail to Abid Ansari Accordingly, bail application of Abid Ansari is liable to be and is hereby rejected.
8. However, taking into consideration all the facts and circumstances of the case, nature and gravity of the offence and the role of the applicants Pradeep Gupta and Ramratan Gond, I am of the considered opinion that *prima facie* it is a fit case where the applicants can be released on bail.
9. Accordingly, the bail application of Pradeep Gupta and Ramratan Gond is allowed. It is ordered that the applicants Pradeep Gupta and Ramratan

Gond shall be released on bail on each of them furnishing a personal bond of Rs.25,000/- along with one surety of the like amount to the satisfaction of the trial Court. They shall appear before the trial court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

Raju