

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 4305 OF 2015**

1. Laxman Bagheal, S/o Ganesh Ram Bagheal, Age 40 years, Occupation Labour,
2. Jhagaru Satnami, S/o Late Antram Satnami, Age 56 years, Occupation Labour,

Both are R/o Village Gorra, P.S. Kotra Road, Raigarh, Distt. Raigarh (C.G.)

---Applicants

Versus

State of Chhattisgarh, Through: Station House Officer, Kotra Road, Distt. Raigarh (C.G.)

---Non-applicant

For Applicants	:	Mr. Amit Kumar Sharma, Advocate
For Non-applicant	:	Mr. Vivek Singhal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

25/08/2015

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. 217/2015, registered at Police Station Kotra Road Distt. Raigarh, for the offence punishable under Sections 5, 6, 10 of C.G. Agriculturist Cattle Preservation Act, 2004 and 2(A) (C) of amended Act, 2011.

2. Case of the prosecution, in brief, is that, meat of the scheduled agricultural animal was found in possession of the present applicants and thereby they 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 no custodial interrogation is required and no useful purpose would be served by keeping them in jail. He would lastly submit that applicants are in jail since 25/07/2015, 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; material collected by the prosecution against the applicants 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, Laxman Bagheal and Jhagaru Satnami, 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, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE