

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 5952 of 2015**

Jivrakhan Sahu S/o Shankhu Sahu Aged About 35 Years R/o  
Village Dongripali, Out Post : Bundeli, Police Station Tendukona,  
Tahsil Pithora, Civil And Rev. Distt. Mahasamund Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh Through Station House Officer, Chowki  
Bundeli, Police Station Tendukona, District Mahasamund  
Chhattisgarh.

**---- Respondent**

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| For Applicant         | :- | Mr. R.V. Rajwade, Advocate            |
| For Respondent /State | :- | Mr. S.R. J Jaiswal Jain, Panel Lawyer |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board By**

**23/11/2015**

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 applicant who has been arrested in connection with Crime No. 136/2015, registered at Police Station – Tendukona, District- Mahasamund (C.G.) for the offence punishable under Sections 4,6,& 10 of C.G. Krishak Pashu Parirakshan Adhiniyam 2004.
2. As per prosecution case, on 25.09.2015 the applicant was transporting 12 oxes for slaughter illegally towards the State of Orissa. During the course of enquiry by the villagers and having been suspicion they stopped the applicant in respect of any license and the applicant did not produce any licence or documents. Thereafter, the complaint was lodged against the applicant and he was arrested on 26.09.2015.
3. Learned counsel for the applicant submits that the charge-sheet in this case has been filed and the applicant has purchased the cattle

from Bhuneshwar Togi, Jagat Ram and Ratanlal who are resident of Chowkbeda have sold the oxes to the applicant. Counsel for the applicant further submits that only on suspicion he has been arrested and he has not committed any overt act nor participated in the commission of crime , therefore, he may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. Having regard to the fact and gravity of offence, and also the fact that the charge-sheet has been filed and taking into the detention period of the applicant as he is in jail since 26.09.2015, I am of the opinion that it is a fit case where the present applicant can be released on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-  
**(Goutam Bhaduri)**  
Judge