

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7226 of 2015

1. Mukesh Sahu, S/o Jhaduram Sahu, Aged About 24 Years, By Caste Teli.
 2. Jhaduram, S/o Dukharam Sahu, Aged About 54 Years, By Caste Teli.
- Both are R/o Village Golkumhada, Tahsil Charama, Distt. U.B. Kanker, Chhattisgarh

---- Applicants

Versus

The State Of Chhattisgarh, Through Police Chowki Dudhwa, Police Station- Narharpur, Distt. U.B. Kaker, Chhattisgarh

---- Respondent

For Applicants : Mr. Parag Kotecha, Advocate

For Respondent : Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/12/2015

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.169/2015, registered at Police Station– Narharpur, District U.B. Kanker (C.G.) for the offence punishable under Section 6, 10 of Chhattisgarh Agricultural Cattle Preservation Act, 2004; Section 11 of the Prevention of Cruelty to Animals Act, 1960 and Section 66/192 of Motor Vehicle Act, 1988. The earlier bail application was dismissed as withdrawn on 05.11.2015 with liberty to repeat after filing of the charge sheet.
2. As per the prosecution case, in brief, on 29.09.2015 the applicants alongwith other co-accused were taking the cattle to slaughter house for the purpose of slaughtering in a Pickup vehicle and when

the receipt was asked the applicants failed to produce any document; therefore, the offence has been committed.

3. Learned counsel for the applicants submits that the charge sheet has been filed in this case and no further investigation is necessary. He further submits that the applicants are in jail since 30.09.2015 and the trial may take some time; therefore, they may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case and taking into fact that the charge sheet has been filed and the offence is triable by JMFC and the applicants are in jail since 30.09.2015, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each 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/-
(Goutam Bhaduri)
Judge