

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3281 of 2015**

1. Narendra @ Bilwa Masih S/o Vinod Masih Aged About 35 years
R/o Village - Vishrampur, Police Station - Simga, District
Balodabazar - Bhatapara Chhattisgarh
2. Ashish @ Golu S/o Kiran Masih Aged About 32 Years R/o
Village - Vishrampur, Police Station - Simga, District
Balodabazar - Bhatapara Chhattisgarh
3. Ashish @ Bablu S/o Vilset Aged About 36 Years R/o Village -
Vishrampur, Police Station - Simga, District Balodabazar -
Bhatapara Chhattisgarh
4. Saylendra S/o Sunder Masih Aged About 30 Years R/o Village -
Vishrampur, Police Station - Simga, District Balodabazar -
Bhatapara Chhattisgarh
5. Vikas S/o Birendra Masih Aged About 26 Years R/o Village -
Vishrampur, Police Station - Simga, District Balodabazar -
Bhatapara Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through : Station House Officer, Police
Station - Simga, District Balodabazar - Bhatapara Chhattisgarh

---- Non-Applicant

For Applicants:	Shri Anil Singh Rajput, Advocate.
For Non-Applicant/State:	Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board By****15/07/2015**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for

releasing them on regular bail during trial in connection with Crime No. 182/2015 registered at Police Station – Simga, District-Balodabazar-Bhatapara for the offences punishable under Sections 4,6,10 & 11 of Chhattisgarh Krishi Pashu Parirakshan Atyachar Adhiniyam.

(2) Case of the prosecution, in brief, is that the applicants were found in possession of 69 agricultural scheduled animal to be taken them to other State for the purpose of slaughtering.

(3) Counsel for the applicants submits that applicants have falsely been implicated in the crime in question as they have not committed any offence; no seizure has been made from applicants No. 2 to 5; they are simply villagers. He further submits that the applicants are in detention since 02.06.2015; and the charge sheet has already been filed and, therefore, they may be released on bail.

(4) On the other hand, counsel for the State submits that from the possession of applicant No.1- Narendra @ Bilwa Masih; 69 scheduled agricultural animals have been seized.

(5) So far as the bail application with regard to applicant No. 1 is concerned, looking to the fact that from the possession of applicant No.1- Narendra @ Bilwa Masih; 69 scheduled agricultural animals have been seized; and the other material collected by the prosecution against him; I am not inclined to release him on bail. Therefore, bail application of applicant No. 1-

Narendra @ Bilwa Masih is rejected.

(6) So far as bail application of applicants No. 2 to 5 is concerned, considering their role in offence in question and the facts that they are languishing in jail since 02.06.2010; charge sheet has already been filed against them; this court is of the view that it is a fit case to release the applicants No. 2 to 5 on bail. Accordingly, the bail application relating to applicants No. 2 to 5 is allowed.

(7) Accused/applicants namely **Ashish @ Golu, Ashish @ Bablu, Saylendra & Vikas** are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to 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

D/-