

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 606 of 2015

Munruddin @ Munna Musalmaan S/o Shri Abdul Raiyal Aged About 45 years R/o
Village- Surta, P.S. & Tahsil- Ramanujnagar, District- Surajpur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through: P.S.- Khadgawan, District- Korea, Chhattisgarh

---- Respondent

For Applicant	-	Mr. Pawan Shrivastava, Advocate
For Respondent/State	-	Mr. Manish Nigam, Panel Lawyer

Order On Board

28/07/2015

Heard.

The applicant is apprehending his arrest in connection with Crime No.79/2015 registered by Police Station-Khadgawan, District Korea (C.G.) for alleged commission of offences under Sections 6-10 of C.G. Krishak Pashu Parirakshan Adhiniyam, 2004, and 11(घ) of Pashu Krurta Nivaran Adhiniyam 1960.

2. Prosecution case is that the applicant and other accused are involved in trafficking of agricultural cattle which were transported for being slaughtered.
3. Learned counsel for the applicant submits that there is no material to show that the applicant had any role to play either in catching the animals or getting them, loaded or transporting. The applicant is neither the owner of the vehicle nor any of the accused in their memorandum has named the applicant. He submits that the statement of villagers recorded by the Police is merely hearsay and except this, there is no material against the applicant.
4. On the other hand, learned counsel for the State opposes prayer and submits that at the spot, when the vehicle and the animals were found, an enquiry was made from the driver and conductor of the vehicle. They have stated that at the time of

loading of the animals, the applicant had also role to play.

5. Considering the submission of learned counsel for the parties, particularly taking into consideration the material on the basis of which the applicant is involved, and that the applicant is neither owner of the vehicle nor was found alongwith the cattle in the course of transportation, the application is allowed.

6. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the arresting officer and the applicant shall abide by all the following terms and conditions-

- (i) that the applicant shall make himself available for interrogation by a Police Officer as and when required;
- (ii) that the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer.
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

Manindra Mohan Shrivastava

J U D G E

Rekha