

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4522 of 2015**

1. Fekan Sahu s/o Chintaram Sahu aged about 60 years, R/o Village Dodki, Police Station Sakti, District Janjgir-Champa (CG)
2. Khunnu Kenwat S/o Amar Singh aged about 30 years, R/o Village Navapara Khurd, Police Station Sakti, District Janjgir-Champa (CG)

---Applicants**Versus**

State of Chhattisgarh Through: District Magistrate District : Raigarh (CG)

---Non-applicant

For Applicants	:	Mr. Amit Singh, Advocate
For Non-applicant	:	Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****08/09/2015**

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.62/2015, registered at Police Station-Chhal, District Raigarh (C.G.), for the offence punishable under Sections 4, 6 of the C.G. Cattle Test Act, 2004 and Section 11 (D) of the Cattle Cruelty Act, 1960.

2. Case of the prosecution, in brief, is that the applicants were found in possession of 28 schedule agricultural animals carrying the same to the State of Jharkhand for the purpose of slaughtering and thereby committed the offence.

3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. He would further submit that the applicants were taking the animals

for agricultural purpose, they are in jail since 12.7.2015 and charge-sheet has already been filed, and therefore, they may be enlarged on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

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; role of the present applicants; their defence and their pre-trial detention, this Court is of the opinion that present is the fit case, in which, the applicants should be enlarged on regular 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/-** 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

B/-