

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4656 OF 2015**

1. Istakhar Aalam S/o Aajam Khan aged about 24 years R/o village Amtahi (Orchha) Police Station Kusmi District Balrampur (C.G.)
2. Ramswarup S/o Budru (Budhau Ram,) aged about 41 years R/o village Tiranga Police Station & Tehsil Batauli District Sarguja (C.G.)

---Applicants**Versus**

State of Chhattisgarh through Station House Officer P.S. Bagicha District Jashpur (C.G.)

---Non-applicant

For Applicants	:	Mr. Arun Kumar Shukla, Advocate
For Non-applicant	:	Mr. Qamarul Aziz, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****07/09/2015**

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. 122/2015, registered at Police Station Bagicha, District Jashpur (C.G.), for the offence punishable under Sections 4, 6 & 10 of CG Krishik Pashu Parirakshan Adhiniyam & Section 11 of Prevention of Cruelty to Animals Act.
2. Case of the prosecution, in brief, is that, applicant Nos. 1 & 2 were found transporting 10 and 16 scheduled agricultural animals respectively on 11/06/2015 to the State of Jharkhand for the purpose of slaughtering and thereby committed aforesaid offence.
3. Learned counsel for the applicants would submit that applicants

have not committed any offence and have been falsely implicated in offence in question. He would further submit that applicants were transporting the said animals for agricultural purpose as they are farmers. He would lastly submit that applicants are in jail since 12/06/2015 and charge sheet has been filed, therefore, they may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

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 in offence in question and pretrial detention of the applicants, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is allowed.

8. It is directed that applicants, namely, Istakhar Aalam and Ramswarup 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