

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5729 of 2015

- Shahnawaj Irshad Sheikh S/O Irshad Sheikh, aged about 24 Years
R/O Behind Jaiswal Hotel, Qtr. No. C/ 18/2015, Ekta Colony, Itwari
Station Road, P.S. Yashodhara Nagar, Nagpur (Maharashtra)

---- Applicant (In jail)

Versus

- State Of Chhattisgarh Through - P.S. Somni Distt. Rajnandgaon
Chhattisgarh

---- Respondent

For Appellant : Shri Arvind Dubey, Advocate
For Respondent/ State : Shri Neeraj Jain, GA

Hon'ble Shri Justice Goutam Bhaduri

ORDER

29.10.2015

- 1) The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.154/2015 registered in Police Station Somni, District Rajnandgaon (CG) for offence punishable under Sections 4, 6, 10 and 11 Chhattisgarh Agriculture Cattle Preservation Act, Section 11 Animal Cruelty Act and Section 66/192 of Motor Vehicle Act.
- 2) Prosecution story in brief is that on 24.08.2015, the applicant was caught while carrying cattle to slaughter house in a truck bearing No.CG-04/JD-3251, he was apprehended and on being asked, proper documents have not been produced. Therefore, he was arrested.
- 3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the case and has not committed any

offence. He further submits that charge-sheet has already been filed in this case and the applicant is in jail since 24.08.2015, the case is pending before the JMFC, district Rajnandgaon. He also submits that as per the information, till date no evidence has been adduced by the prosecution, therefore, the applicant may be released on bail.

- 4) Learned State counsel opposes the prayer for grant of bail, though not disputed the fact that charge-sheet has been filed.
- 5) I have heard learned counsel for the parties and perused the case diary.
- 6) Taking into consideration all the facts and circumstances of the case and the fact that charge-sheet has been filed and the applicant is in jail since 24.08.2015; also considering the gravity & nature of the offence and the period of predominant detention of the applicant, *prima facie* this Court is of the opinion that it is a fit case where the applicant can be enlarged on bail.
- 7) Accordingly, the bail application is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial Court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
JUDGE