

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5730 of 2015

1. Sayyad Sultan @ Sonu, S/o Sayyad Hamid Ali Aged About 25 Years R/o Kamthi Road, Manjri, Rajnagar, Police Station Yashodhara Nagar, Nagpur (Maharashtra).
2. Sheikh Shahjad S/O Mohd. Azaz Aged About 18 Years Caste Musalman, R/O Kamgar Nagar, House No. 893 Police Station Jaripatka, Nagpur (Maharashtra).

---- Applicants (In jail)

Versus

- State of Chhattisgarh Through Police Station Incharge, Police Station Gaindatola, 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 applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.49/2015 registered in Police Station Gaindatola, District Rajnandgaon (CG) for offence punishable under Sections 4, 6, 10 and 11 Chhattisgarh Agriculture Cattle Preservation Act, Sections 47, 48, 49, 50 and 52 Animal Cruelty Act and Section 66/192 of Motor Vehicle Act.
- 2) Prosecution story, in brief, is that on 22.08.2015, the complainant namely, Lakhan Lal, Sarpanch lodged a First Information Report before the Police that the villagers caught

hold of the applicants while carrying 40 cattle to slaughter house for slaughtering in a truck bearing No.CG-04/HT-4757 and some of the animals were found dead in the said truck. Therefore, they committed the aforesaid offence.

- 3) Learned counsel for the applicants submits that the applicants have been falsely implicated in the case and have not committed any offence. He further submits that charge has not been framed yet in this case and the applicants are in jail 22.08.2015. He further submits that the case is pending before the JMFC, district Rajnandgaon and no further interrogation by the prosecution is required, therefore, they may be released on bail.
- 4) Learned State counsel opposes the prayer for grant of bail.
- 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, the applicants are in jail since 22.08.2015; also considering the gravity & nature of the offence and the period of predominant detention of the applicants, this Court is inclined to release the applicants on bail.
- 7) Accordingly, the bail application is allowed and it is directed that the applicants shall be released on bail on each of them furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial

Court for their regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
JUDGE

padma