

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.5086 of 2015

Farukh @ Fakhruddin, S/o Amiruddin, aged about 30 years, R/o Navagarh,
PS Ambikapur, Distt. Sarguja (CG)

---- Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police Chowki
Bariyon, PS Rajpur, Distt. Balrampur-Ramanujganj (CG)

---- Non-applicant

For Applicant:	Mr. Jitendra Shrivastava, Advocate.
For Non-applicant:	Mr. Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

22/09/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.102/2015 (Criminal Case No.270/2015 pending in the Court of Judicial Magistrate First Class, Rajpur), registered at Police Chowki Bariyon, Police Station Rajpur, Distt. Balrampur-Ramanujganj, for the offence punishable under Sections 4, 6, 10 (क ख ग घ) of the Chhattisgarh Krishak Pashu Parirakshan Adhiniyam, 2004 and Section 11 of the Pashu Krurata Adhiniyam, 1960.
2. Case of the prosecution, in brief, is that on 17-7-2015, the applicant killed one scheduled agricultural animal and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. The applicant has not killed any animal and he is in jail since 20-7-2015.
4. On the other hand, learned State counsel opposes the application.

5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicant, evidence available, pretrial detention of the applicant and the fact that charge-sheet has been filed, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge