

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.5143 of 2015

Sabbir Ansari, S/o Ulfat Ansari, aged about 29 years, R/o Masanganj,
Bilaspur, P.S. Civil Line, Bilaspur, Tahsil and District Bilaspur (C.G.)
---- Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, P.S. Masturi,
District Bilaspur (C.G.)
---- Non-applicant

For Applicant:	Mr. Syed Imtiaz Ali, Advocate.
For Non-applicant:	Mr. Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

06/10/2015

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.534/2014 registered at Police Station Masturi, Distt. Bilaspur, for the offence punishable under Sections 4, 6, 10 of the Krishak Pashu Parirakshan Adhiniyam, 1959; 11 and 3 of the Pashu Krurta Adhiniyam, 1960.
2. Case of the prosecution, in brief, is that the applicant and other co-accused persons were found carrying 50 agricultural scheduled animals which they were transporting to the other States for the purposes of slaughtering.
3. Learned counsel for the applicant submits that the applicant has not committed any offence, he has been falsely implicated in the crime, he is in jail since 18-8-2015 and charge sheet has not been filed. He further submits that only on the memorandum statement of other co-accused, the applicant has been falsely implicated and no recovery has been made from the present applicant. He also submits that co-accused Ajay Bhardwaj and Bharat

Kishore have been granted bail by this Court vide order dated 9-2-2015 passed in M.Cr.C.No.600/2015.

4. On the other hand, learned State counsel opposes the application and submits that the applicant and Imran Khan both are owners of the cattle and the applicant is found involved in four criminal cases of identical nature pertaining to years 2014 and 2015.
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, the manner in which the scheduled agricultural animals were sought to be transported to the other States for the purpose of slaughtering, considering the role of the applicant being the owner of cattle along with other co-accused and his criminal antecedents as he is found involved in the offence of this nature in the last two years, and his case being distinguishable from the co-accused whose bail application has been allowed, I am not inclined to grant regular bail to the applicant. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge