

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5385 of 2015**

1. Amjad Khan S/o Rojan Mohammad, aged about 24 years,
2. Sakil Ahmed, S/o Najbuddin, aged about 23 years,

Both are resident of village-Barbaspur, P.S. Pratappur, Tehsil-Surajpur,
Civil & Revenue District-Surajpur (CG)

---Applicants**Versus**

State of Chhattisgarh Through : Police Station & Rev. Distt.Balrampur, District
Surguja (CG)

---Non-applicant

For Applicants	:	Ms Sareena Khan, Advocate
For Non-applicant	:	Mr. Neeraj Jain, Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/10/2015**

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.37/2015, registered at Police Station-Balrampur, for the offence punishable under Sections 4, 6, 10 of C.G. Krishak Pashu Parirakshan Adhiniyam 2004 and Section 11(1) (D) of Pashu Krurta Niwaran Adhiniyam.

2. Case of the prosecution, in brief, is that the applicants were found in possession of 6 scheduled agricultural animals on 25.3.2015 and were transporting the same to other State for the purpose of slaughtering.

3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. She would further submit that they are simply drivers and have followed the instructions of his master, they are in jail since 26.8.2015 and

charge-sheet has already been filed and therefore, they may be enlarged on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

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; their pre-trial detention and the fact that they are drivers, this Court is of the opinion that present is the fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants 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

B/-