

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.5365 of 2015

Rakesh Gelare, S/o Pannalal, aged about 32 years, R/o Ward No.70, Tatibandh, Sarona, Raipur, Police Station Amanaka, Tehsil and District Raipur, Civil & Revenue District Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through the District Magistrate, District Rajnandgaon (C.G.)

---- Non-applicant

For Applicant:	Mr. Avinash Chand Sahu, Advocate.
For Non-applicant:	Mr. Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

08/10/2015

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.154/2015, registered at Police Station Somni, Distt. Rajnandgaon, for the offence punishable under Sections 4, 6, 10, 11 of the Chhattisgarh Agricultural Animals Sanrakshan Act, 2004; 66/192 of the Motor Vehicles Act; 47, 48, 50, 52, 54 sub-sections (1), (2), (3), (4) of the Pashu Parirakshan Act; and 11 of the Animal Cruelty Act.
2. Case of the prosecution, in brief, is that the applicant was transporting 30 scheduled agricultural animals to other States for the purpose of slaughtering and the vehicle was being driven by the driver of the applicant namely Shahnawaj Sheikh, co-accused.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime. He

further submits that Shahnawaj Sheikh is not the driver of the applicant and the applicant has hired the vehicle from one Rakesh Banjare. Charge-sheet has been filed.

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 and the manner in which 30 scheduled agricultural animals were said to have been taken to other States for the purpose of slaughtering, this Court is not inclined to grant bail to the applicant. Consequently, the application is rejected. However, the trial Court is directed to expedite the trial and conclude the same as early as possible.

Sd/-
(Sanjay K. Agrawal)
Judge