

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5483 of 2015**

Ejahak Masih S/o Aliya Masih, aged about 30 years, R/o Village – Vishrampur, P.S.-Simga, Civil & Revenue District-Balodabazar-Bhatapara (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, through, S.H.O. Police Station -Simga, District Balodabazar-Bhatapara (C.G.)

---- Non-applicant

For Applicant: Mr. A.S. Rajput, Advocate.
For Respondent/State: Mr. Neeraj Sharma, Dy.Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

12/10/2015

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.138/2015 registered at Police Station Simga, District-Baloda Bazar, Bhatapara for the offence punishable under Sections 429 of Indian Penal Code & Sections 4,5,10 & 11 of CG Krishak Pashu Parirakshan Adhiniyam.

(2) Case of the prosecution, in brief, is that applicant is alleged to have killed a schedule agricultural cattle and possessed the beef for the purpose of sale.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail since 19.7.2015 and the charge sheet is yet to be filed but substantial investigation has already been made and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case, further considering the role of the present applicant in the crime in question and the facts that applicant is in jail since 28.07.2015; the substantial investigation has already been made and the fact that bail was granted to co-accused Saul Willium vide order dated 02.09.2015 passed in M.Cr.C.No.4531 of 2015; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

B/-