

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5674 of 2015**

Ayyub Khan S/o Yusuf Khan, aged about 38 years, R/o Ekta Nagar, Plot No.189, Khanjara Lotus Layout Pil River, Nagrpur, P.S.-Yashodara, Civil & Revenue Distt.Nagpur (Maharashtra)

---Applicant**Versus**

State of Chhattisgarh, through, S.H.O. Police Station – Simga, Distt.Balodabazar-Bhatapara (CG)

---Non-applicant

For Applicant	:	Mr.A.S. Rajput, Advocate
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****15/10/2015**

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 applicant who has been arrested in connection with Crime No.35/2014, registered at Police Station-Simga, District-Balodabazar-Bhatapara (C.G.), for the offence punishable under Sections 4, 6,7,9,10 of the C.G. Krishak Pashu Parirakshan Adhiniyam.
2. Case of the prosecution, in brief, is that vehicle of the present applicant found involved in commission of offence, by which, for the said vehicle 30 schedule agricultural animals were being transported to the other State for the purpose of slaughtering.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that in fact, the vehicle was given on rent to Moin Ahamad and as such, he was not involved in offence in question. He is in jail since 28.8.2015 and charge-sheet has not been filed as yet.
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 and the manner in which 30 agricultural schedule animals were being transported by vehicle owned by the present applicant, this Court is of the opinion that present is not a fit case, in which, the applicant should be enlarged on regular bail.

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

8. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-