

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 343 of 2016

Suresh Pratap Singh, S/o. Late Shri Kuber Singh, Aged about 40 years,
R/o. Village Kelhari, P.S. Kelhari, Tahsil Manendragarh, District Korea,
Chhattigarh

---- Applicant

Versus

State Of Chhattisgarh, Through In-charge Police Station, Kelhari, District
Korea, Chhattisgarh.

---- Respondent

For Applicant : Mrs. Usha Chandrakar, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29/01/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.54/2015 registered at Police Station- Kelhari, District Korea (C.G.) for the offence punishable under Section 4, 6, 10 of Chhattisgarh Agricultural Cattle Preservation Act, 1959 & Section 11(1)(GH) of Prevention of Cruelty to Animal Act, 1960 & M.V. Act, 66/192, 207.
2. Case of the prosecution, in brief, is that, on 25.10.2015 on information received that the cattle were being transported for slaughter, a Truck bearing No.M.P.53 GA 1979 was intercepted and 15 cattle were recovered and Samsher Khan @ Abdulla Khan was arrested. Subsequently, on investigation, it was found that the applicant was the main culprit who was in the helm of affairs to transport the cattle.
3. Learned counsel for the applicant submits that the charge sheet has been filed and the applicant has been arrested on 12.11.2015

and there is no further evidence is required, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and he would submit that the applicant to his credit have seven cases under different sections i.e. 341, 294, 506, 307, 323, 107 of IPC & 41(2) of Cr.P.C. and proceeding was also drawn against him, therefore, taking into such criminal background of the applicant, tampering of evidence cannot be ruled out and the vehicle which was used was also belong to this applicant, therefore, he may not be enlarged on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Perused the charge sheet and the case diary. Considering the past antecedents of the applicant, tampering of evidence cannot be ruled out, therefore, taking into the past background of the applicant, this Court is not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge