

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1091 of 2016**

Sirajul Mandal, aged about 50 years, S/o Shamshuddin Mandal, R/o Swarup Nagar, 24 Pargana (West Bangal)

---Applicant

Versus

The State of Chhattisgarh Through SHO Police Station Sarangarh, Raigarh (CG)

---Non-applicant

For Applicant	:	Mr. Vikram Singh, Advocate
For Non-applicant	:	Mr. Ajit Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

09/03/2016

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.20/2016, registered at Police Station-Sarangarh, District-Raigarh (CG), for the offence punishable under Section 10 of the Chhattisgarh Agriculture Cattle Preservation Act, 2004.

2. Case of the prosecution, in brief, is that the applicant was found transporting eleven agricultural scheduled animals for the purpose of slaughtering, to other States and thereby committed the offence.

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. The applicant is neither owner of the vehicle nor he was taking the animals. The applicant is in jail since

12.1.2016. Charge-sheet has been filed and no custodial interrogation of the applicant is required.

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 & circumstances of the case, nature & gravity of the offence, role of the present applicant, his pre-trial detention, number of animals and the fact that co-accused Uttam Kumar Pal has been released on bail by this Court vide order dated 2.3.2016 in M.Cr.C.No.895 of 2016, I am of the view that it is a fit case to enlarge the applicant 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 applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-