

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1118 of 2016**

Md. Seikh Salmgir, S/o Late Jamaluuddin Ansari, Aged about 56 years, R/o Village. Chandarpura, P.S. Majhigaon, Distt. Garhwa, (Jharkhand)

---- Applicant

Versus

State Of Chhattisgarh Through: Station House Officer, Police Station -Pasata, Distt. Balrampur (C.G.)

-----Non-applicant

For Applicant: Mr. Arun Kumar Shukla, Advocate.
For Non-applicant/State: Mrs. Astha Shukla, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****08/03/2016**

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. 25/2015 registered at Police Station Pasta, Distt. Balrampur for the offences punishable under Sections 4,6 &10 of CG Krishik Pashu Parirakshan Adhiniyam & Sections 11(1)(a),(b)(h) of Prevention of Cruelty to Animals Act.

(2) Case of the prosecution, in brief, is that applicant was transporting/carrying 10 agricultural scheduled cattle for the purpose of slaughtering and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant has purchased scheduled animals from the Cattle Market and were taken them to his village for the agriculture purpose and, as such, he has not committed any offence. He further submits applicant is in jail since 01.11.2015 and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits that applicant was transporting/carrying the cattle illegally without any authority of law for the purpose of slaughtering and, therefore, he is not entitled for regular bail.

(5) Taking into consideration the nature and the gravity of the offences and considering the defence taken by the applicant that he has purchased the cattle for the agriculture purpose; and considering his detention period; 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.

Sd/-

(Sanjay K. Agrawal)

Judge

D/-

