

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2471 of 2016

1. Dharampal, S/o. Shri Mahaveer Bareth, Aged About 22 Years, R/o. Village Deragarh, P.S. Baradwar, District Janjgir-Champa, Chhattisgarh.
2. Munusingh Sidar, S/o. Chhattar Gond, Aged About 25 Years, R/o. Village Bagbudwa, P.S. Sakti, District Janjgir-Champa, Chhattisgarh.
3. Yashwant, S/o. Ramdin Sahu, Aged About 24 Years, R/o. Village Dodki, P.S. Sakti, District Janjgir-Champa, Chhattisgarh.
4. Shivcharan, S/o. Bechain Rathiya, Aged About 32 Years, R/o. Village Saskoba, Tahsil Dharamjaigarh, District Raigarh, Chhattisgarh.
5. Mangal, S/o. Rakhiram Yadav, Aged About 28 Years, R/o. Village Ragja, P.S. Sakti, District Janjgir-Champa, Chhattisgarh.
6. Kushram, S/o. Anoop Lal Rathiya, Aged About 25 Years, R/o. Village Khamhar, P.S. Kharsia, District Raigarh, Chhattisgarh.
7. Nirmal, S/o. Lallu Kujur, Aged About 40 Years, R/o. Village Tirsoth (Kacchar), P.S. Patthalgaon, District Jashpur, Chhattisgarh.
8. Dhaniram, S/o. Ratiram Satnami, Aged About 50 Years, R/o. Village Jajang, District Janjgir-Champa, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through Officer-in-Charge of the P.S. Chhal, District Raigarh, Chhattisgarh.

---- Respondent

For Applicants : Ms. Sharmila Singhai with Mr. Abhishek Saraf,
Advocates
For Respondent : Ms. Shobha Kashyap, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

27.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.16/2016, registered at Police Station- Chhal, District Raigarh (C.G.) for the offence punishable under Section 6 & 10 of the C.G. Agriculture Cattle Preservation Act, 2004.
2. Case of the prosecution, in brief, is that on 27.02.2016 the applicants who were carrying 319 cattle to the slaughter house

were apprehended at Dharamjaigarh road and they could not produce the documents when they were arrested. Subsequently, after investigation, it was found that the offence has been committed.

3. Learned counsel for the applicants would submit that the applicants are the labourers of the original owner who had purchased the cattle in the cattle market Pondikala on 22.02.2016 to 25.02.2016 and they goading the cattle while it was intercepted and the applicants were arrested. She further submits that the cattle purchase receipts are also filed along-with the bail application as Annexure A-2 which would show that the applicants were only the labourers. It is further stated that the charge sheet has been filed and no further investigation is necessary, therefore, the applicants may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, she do not dispute the fact that the cattle purchase receipts are the part of the case diary.
5. Considering the facts and circumstances of the case and further considering the fact that the charge sheet has been filed and the applicants are in jail since 27.02.2016, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge