

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4194 of 2016

Mobin Ahmad, S/o. Samsuddin Ahmad, Aged About 30 Years, R/o. Mehbubpura Near Nuri Masjid Yashodhara Nagar Nagpur, Civil & Revenue Distt. - Nagpur (M.H.)

---- Applicant

Versus

State Of Chhattisgarh, Through P.S.- Simga, Distt.- Balodabazar – Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Mr. Rakesh Thakur, Advocate

For Respondent : Mr. Shobha Kashyap, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02.08.2016

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.35/2014 registered at Police Station- Simga, Distt. Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 4, 6, 7, 9, 10 & 11 of the Pashu Parirakshn Adhiniyam and under Section 48, 49A, 50 of Pashu Parivahan Adhiniyam.
2. As per the prosecution case, on information being received that the applicant is transporting cattle to the slaughter house in the vehicle, the vehicle bearing No.C.G.04 B 5526 was intercepted and 30 cattle were recovered from the vehicle.
3. Learned counsel for the applicant would submit that in this case the main witness have been examined and they have not supported the case of the prosecution and therefore the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that as many as eight cases are registered against the applicant under the different Sections of IPC including Macoca, therefore, considering his past background, he may not be enlarged on bail.
5. Perused the case diary and the documents, which shows that in the vehicle 30 cattle were being taken which was intercepted and the applicant fled away and subsequently he was arrested. Considering the past background and criminal record of this applicant and the fact that as many as eight cases under the different Sections of IPC including Macopa are registered against the applicant at Maharashtra, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge