

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4111 of 2016

1. Kalasingh S/O Ghurau Ram Aged About 30 Years R/O Village Bichiya Police Station Saraipali, District Mahasamund, Civil & Revenue District Mahasamund Chhattisgarh
2. Chintaram S/O Dharma Satnami Aged About 26 Years R/O Village Pilripali, Police Station Sarsiva, District Baloda Bazar Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through : Station House Officer, P.S. Basna Civil & Revenue District Mahasamund Chhattisgarh

---- Respondent

For Applicants : Mr. Punit Ruperal, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.07.2016

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail, who has been arrested on 12-06-2016 in connection with Crime No. 143 of 2016 registered at Police Station Basna, District Mahasamund (CG), for the offence punishable under Sections 4, 6, 10 & 130(R) of Chhattisgarh Agricultural Cattle Preservation Act, 2004 and Section 177 of the Motor Vehicles Act.
2. Case of the prosecution is that on 11-6-2016 the applicants were carrying alive cattle (two buffaloes) in the Tata Magic registration bearing No. CG -06-GC 5537 and they were being taken for slaughtering purpose. They were intercepted and were arrested and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicants would submit that the present applicants are agriculturists and they have purchased the cattle from the market for agricultural purpose which is evident from the documents. He would further submit

that the applicants have been falsely implicated in the instant case, charge-sheet has been filed in the case, the applicants are in jail since 12-06-2016 and no further investigation is required, therefore, they may be released on bail.

4. On the other hand, learned State counsel opposes the application for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary and statements which would show that the applicants have purchased the cattle from the market.
6. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicants and further considering the fact that the applicants have purchased the said cattle from the market, charge sheet has been filed and the applicants are in jail since 12-06-2016, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them 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 their appearance as and when directed.

Certified copy as per rules

Sd/-
(Goutam Bhaduri)
Judge

Raju