

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4341 of 2016

1. Raju Pawar, aged about 28 years, S/o. Kishan Pawar, R/o. Plot No.56, House No.2089, Vaishnav Mata Nagar, P.S. - Wadi, District – Nagpur (M.H.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station - Simga, District – Balodabazar (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Praveen Das, Advocate
For Respondent/State	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08/08/2016

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.101/2016, registered at Police Station – Simga, District – Balodabazar (C.G.) for the offence punishable under Section 4, 6, 7, 9, 10, 11 Prevention of Cruelty against Animal Act & Section 47A, 47C, 48, 49A, 49B, 50, 50 (1), 52 (2), 54(2), 81 & 91 of Motor Vehicle Act.
2. Case of the prosecution, in brief, is that on 19.04.2016 a Tata truck was intercepted and in the vehicle 21 cattle were found to be transported to the slaughter house and the present applicant is the registered owner of the vehicle, who was arrested subsequently along with other accused persons.
3. Learned counsel for the applicant submits that from the investigation of the police it would show that the applicant has sold the vehicle two years back to Wasim Haider, however, the

registration of the vehicle could not be taken place and he was not at all control of the vehicle. It is further submitted that the applicant is in jail since 21.06.2016, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Case diary also contains the agreement filed by the applicant along with the bail application, wherein the vehicle appears to have been sold by the present applicant to Wasim Haider. Taking into such fact, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge