

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4213 of 2016

1. Bhuvneshwar Yadav, S/o. Lambdhar Yadav, Aged About 30 Years.
2. Devanand Yadav, S/o. Shobharam Yadav, Aged About 35 Years.
3. Rameshwar Yadav, S/o. Sadanand Yadav, Aged About 40 Years.
4. Vishnu Paikra, S/o. Chamar Sai, Aged About 40 Years.
5. Punai Ram Tirkey, S/o. Shobhra, Aged About 55 Years.

All R/o. Village Kilkila, P.S. & Tahsil Lailunga, District Raigarh, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through the Station House Officer, Police
Station Lailunga, Civil & Revenue District Raigarh, Chhattisgarh.

---- Respondent

For Applicants : Mr. Manoj Kumar Jaiswal, Advocate.

For Respondent : Mr. Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01.08.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.130/2016 registered at Police Station- Lailunga, District Raigarh (C.G.) for the offence punishable under Section 4, 6, 10 of the Chhattisgarh Agricultural Cattle Preservation Act, 2004.
2. Case of the prosecution, in brief, is that on 12.04.2016 the applicants were goading and taking away 94 cattle from Sarangarh to Orissa and when they were intercepted they could not produce any document or receipt and, as such, the offence has been registered against them.
3. Learned counsel for the applicants would submit that the applicants are the farmers and they were taking cattle from one market to

another and therefore they have not committed any offence. He further submits that the charge sheet has been filed and the applicants are in jail since 17.05.2016, therefore, they may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature of offence and degree of allegation and further considering the fact that the charge sheet has been filed, 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