

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4098 of 2016

- Battis Verma S/o Shri Gokul Prasad Aged About 27 Years R/o Village Bodri, Police Station Chakarbhatha, District Bilaspur, Chhattisgarh. ----- **Petitioner**

Versus

- State of Chhattisgarh Through The District Magistrate, Bilaspur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Sunil Otwani, Advocate
For the Respondent	:	Mr. Neeraj Sharma, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 157 of 2016 registered at P.S. Chakarbhatha, Distt. Bilaspur (C.G) for the offence punishable under Section 429 IPC and section 4(10), 11 of Prevention of Cruelty to Animals Act, 1965 and Section 4(10) of the C.G. Krishak Pashu Parirakshan.
2. As per the prosecution case, on 12.05.2016 the applicant along-with other accused Kamal Tandon has beaten a cow and thereafter it was collapsed and lied down in front of house of Kamal Tandon. Subsequently the cow died because of alleged beating, thereby the offence is committed.
3. Learned counsel for the applicant submits that the charge sheet in this case has been filed and the statement of the complainant has also been recorded wherein nothing has been stated against this applicant, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and statement of the complainant.
6. Considering the fact that the charge sheet in this case has been filed; offence is triable by the JMFC and the applicant is stated to be in jail since 14.05.2016, without any observation on the merits of the case, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**