

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7469 of 2015

Ravi Bagde, S/o. Rama Rao Badge, Aged About 30 Years, R/o. Devlapar,
P.S. Devlapar, Civil And Rev. Distt. Nagpur (Maharashtra)

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, P.S. - Simga, Civil
And Rev. District - Balodabazar-Bhatapara (Chhattisgarh)

---- Respondent

For Applicant : Mr. A.P.Sharma, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06.01.2016

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.68/2015, registered at Police Station– Simga, District Baloda Bazar - Bhatapara (C.G.) for the offence punishable under Section 4, 6, 7, 9, 10, 11 of the C.G. Animal Prevention Act and 48, 49(a), 50 of the Animal Transport Rules.
2. Case of the prosecution, in brief, is that the applicant was transporting 28 numbers of cattle i.e. Cow, Ox & Calf in a Truck bearing No.M.P. 22- H 0223 and when it was intercepted the Driver fled away. Subsequently, on enquiry, it was revealed that the cattle were owned by this applicant, which were being taken for slaughter to the other State.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as no evidence has been

produced by the prosecution that the applicant was in any way involved in this case and only on the seizure, the allegations have been made. He further submits that the charge sheet has been filed and the applicant is in jail since 28.08.2015; therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have perused the case diary and the evidence. Having regard to the facts and circumstances of the case and taking into fact that the charge sheet has been filed and the applicant is in jail since 28.05.2015, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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 local surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge