

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7623 of 2016

- Gulab Vitthalrao Kalaskar S/o Vitthalrao, Aged About 52 Years R/o New Mahalagi Nagar, Nagpur, Maharashtra.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Simga, District Baloda Bazar Bhatapara, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Anil Gulati, Advocate

For Respondent/State : Mr. Wasim Miyan, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30-11-2016

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 1-10-2016 in connection with Crime No. 59 of 2015 registered at Police Station Simga, District Baloda Bazar – Bhatapara (CG), for the offence punishable under Sections 4, 6, 7,9, 10 & 11 of Chhattisgarh Krishak Pashu Parirakshan Adhiniyam, 2004 and Sections 48, 49-A and 50 of Krishak Pashu Parirakshan Adhiniyam 1978.
2. Case of the prosecution is that on 15-2-2015 on information being received that the applicant was carrying live cattle (total 27 cows and buffaloes) in the Truck bearing registration No. MH-31-CQ -7572 and they were being taken for slaughtering purpose, the said vehicle was intercepted and the applicant was arrested and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the present has been falsely implicated in the case, there is no evidence to the effect that the applicant was carrying the cattle to the slaughter house. He would further submit that the charge-sheet has been filed in the case, the applicant is in jail since 1-10-2016 and no further investigation is required, therefore, he 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.
6. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the fact that charge sheet has been filed and the applicant is in jail since 1-10-2016, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his 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 his appearance as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)
Judge

Raju