

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2821 of 2016

1. Jagdish, S/o. Premdas, Aged About 35 Years.
2. Dilip, S/o. Jagdish, Aged About 22 Years.
3. Gokul, S/o. Lakhan, Aged About 36 Years.

All are Caste- Satnami, R/o. Village- Saradih, Police Station, Tahsil
& District Mahasamund, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through : Station House Officer, Police
Station : Bhimkhoj, District : Mahasamund, Chhattisgarh

---- Respondent

For Applicant : Mr. R.V.R. Rajwade, Advocate

For Respondent : Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15.06.2016

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.58/2016, registered at Police Station- Bhimkhoj, District Mahasamund (C.G.) for the offence punishable under Section 4, 6 & 10 of C.G. Krishak Pashu Parirakshan Adhiniyam, 2004.
2. Case of the prosecution, in brief, is that on 14.04.2016 on information received that the applicants were taking the cattle for slaughter to Orissa, they were intercepted while they were taking the cattle and all the cattle were seized. Thereby, the offence is committed.

3. Learned counsel for the applicants would submit that the applicants were not taking the cattle for slaughter but they are at the business of sale of cattle to be used in agriculture and they were drive the cattle. He further submits that the charge sheet has been filed and no further seizure is required; therefore, the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the charge sheet. The documents shows that all the cattle were seized and it appears that there is no further investigation or seizure is required. Taking into fact that the charge sheet has been filed and considering the degree of allegation and the fact that the offence is triable by JMFC and the applicants are in jail since 15.04.2016, 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