

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 63 of 2016

1. Diglesh Dewangan S/o Dodalram Dewangan Aged About 30 Years R/o Village Mulmula Mangaram Chowk P.S. Kondagaon, Rev. and Civil District Kondagaon Chhattisgarh.
2. Narendra Dewangan S/o Sukhram Dewangan Aged About 24 Years R/o Village Mulmula Mangaram Chowk P.S. Kondagaon, Rev. and Civil District Kondagaon Chhattisgarh. --- **Petitioners**

Versus

- State of Chhattisgarh through The Police Station Makari, District Kondagaon, Chhattisgarh. --- **Respondent**

For the applicants	:	Mr. Praveen Tulsyan, Advocate.
For the Respondent	:	Mr. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No.62/2015 registered at Police station Makari, Distt. Kondagaon (C.G) for the offences punishable under sections 4, 6 & 10 of Chhattisgarh Pashu Parikshan Adhiniyam, 2004.
2. As per the prosecution case, on 14.12.2015, the police has received secrete information that the applicants were carrying Buffaloes to the slaughter house on which a raid was conducted by the police. It is alleged that during such inspection, 14 buffaloes were recovered from the possession of this applicant the applicants.
3. Learned counsel for the applicant submits that the applicants have been falsely implicated in this case and actually the buffaloes were purchased from Orissa and the cattle were being

taken to the village of applicants. He submits that original purchase receipts are annexed to the bail application vide Annexure A-2 which clearly shows that the buffaloes were purchased. He further submits that the charge sheet in this case has been filed and the applicants are in jail since 14.12.2015, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Perused the case diary and documents.
6. Taking into fact that the charge sheet in this case has been filed and the applicants are in jail since 14.12.2015 and the degree of allegations against the applicants as also considering the purchase receipts enclosed with the bail application, I am inclined to release the applicants on regular bail.
7. Accordingly, this bail petition is allowed and the applicants are directed to be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the trial Court for their appearance before the trial Court as and when directed.
8. The registry is directed to return the original purchase receipts (seven in number) which have been annexed to the bail application as Annexure A-2 to the counsel for the applicants after retaining the photocopies of the same.
9. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**