

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4003 of 2016

- Jamsheed Abdul S/o Rashid Manjur Aged About 35 Years
(Father Name Is Wrongly Mentioned Rashid Manjuri In
Impugned Order) R/o Yashodhara Chowki, Pili Nadi Road,
Nagpur, P.S. Teepu Sultan, Yashodhara Nagpur, Maharashtra.

---- Petitioner

Versus

- State of Chhattisgarh through S.H.O. Police Station Palari,
District Balodabazar Bhatapara, Chhattisgarh. **Respondent**

For the applicant	:	Mr. Sandeep Yadav, Advocate
For the Respondent	:	Mr. Vivek Singhal, Panel Lawyer

HON'BLE SHRI JUSTICE GOUTAM BHADURI

ORDER ON BOARD

25.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.93/2016, registered at Police Station – Palari, District – Balodabazar – Bhatapara (C.G.) for the offence punishable under Sections 365, 429 IPC & Sections 4, 6 & 10 of Chhattisgarh Krishak Pashu Parirakshan Adhiniyam.
2. Case of the prosecution, in brief, is that on 07.03.2016 at about 1.10 in the night, while transporting 13 cattle in the vehicle Tata Mazada No. MH-40-5525, which was driven by the present applicant he was caught red handed. It is alleged that the cattle were being taken to the slaughter house at Nagpur and due to over loading and cruel treatment of cattle in the vehicle, two cattle were found dead, thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant

has been falsely implicated and he is only driver of the vehicle. It is further submitted that charge-sheet in this case has been filed; no further investigation is necessary and the applicant is in jail since 07.03.2016, therefore, he may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Considering the facts and circumstances of the case, nature of the allegations levelled against the applicant and the fact that charge-sheet in this case has been filed and the applicant is stated to be in jail since 07.03.2016, 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.
8. 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.

Certified copy as per rules.

**Sd/-
(Goutam Bhaduri)
Judge**