

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2092 of 2016**

Nasim Ansari, S/o Tajmul Ansari, aged about 50 years, R/o Village-Sonpurwa, P.S. - Ranka, Distt. Garhwa (Jharkhand)

---- Applicant**Versus**

The State Of Chhattisgarh, Through Police Station – Ramanujganj, Distt. Balrampur- Ramanujganj (C.G.)

---- Non-applicant

For Applicant: Mr. A.N. Pandey, Advocate.
For Non-applicant/State: Mr. O.P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****20/04/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 26/2016 registered at Police Station Ramanujganj, Distt. Balrampur- Ramanujganj for the offences punishable under Sections 4,6 & 10 of C.G. Krishak Pasu Parirakshan Adhiniyam, 2004 & under Section 11 (D) of Pasu Krurta Adhiniyam.

(2) Case of the prosecution, in brief, is that applicant is said to have found in possession of nine scheduled cattle animal transporting them to the State of Jharkhand for the purpose of slaughtering and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit

that the applicant has purchased scheduled animals for the agriculture purposes and, as such, he has not committed any offence and he has been falsely implicated in the offence in question. He further submits that applicant is in jail since 21.03.2016 and no useful purpose would be served in detaining him in jail and, therefore, he may be released on bail.

(4) On the other hand, learned counsel for the State submits that applicant was transporting the cattle illegally without any authority of law for the purpose of slaughtering and, therefore, he is not entitled for regular bail.

(5) Taking into consideration the nature and the gravity of the offences and considering the defence taken by the applicant that he has purchased the cattle for the agriculture purpose; and considering his detention period; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant – **Nasim Ansari** is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

