

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3149 of 2016

1. Laxmi Prasad, S/o. Mr. Nana Ram urf Raseed, aged about 34 years,
2. Laxmi Narayan, S/o. Late Mr. Kunu Ram, aged about 25 years,
3. Jitendra Prasad, S/o. Feekir Chand, aged about 19 years,
4. Shiv Prasad, S/o. Mr. Raseed Prasad urf Nana Ram, aged about 32 years,

All R/o. Village-Hardikala (Tona), Tehsil – Bilha, Thana-Sirgitti, District-Bilaspur (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : Police Station – Sirgitti, District – Bilaspur (Chhattisgarh)

---- Respondent

For Applicants : Mr. Achyut Tiwari , Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29/06/2016

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 applicants who have been arrested in connection with Crime No.164/2016, registered at Police Station – Sirgitti, District – Bilaspur (C.G.) for the offence punishable under Section 295-A, 34 of Indian Penal Code and Section 5, 10 of C.G. Krishak Pashu Parirakshan Adhiniyam, 2004.
2. Case of the prosecution, in brief, is that on 01.05.2016 the applicants were cutting two dead cows in the public place, thereafter, some of the people reached and reported the matter. Thereby the offence has been committed.

3. Learned counsel for the applicants submits that the applicants were cutting the dead cows and they were cobblers and they are from their ancestors doing the business, therefore, the applicants have not committed any offence. He further submits that the applicants are in jail since 02.05.2016, therefore, the counsel prays that the applicant 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. Perused the case diary and the documents. Considering the facts and circumstances of the case, the nature of allegation and the gravity of the offence and the fact that the applicants are in jail since 02.05.2016, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge