

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4075 of 2016

Mobin Ahmad, aged about 30 years, S/o. Samsuddin Ahmad, R/o. Mehbubpura Near Nuri Masjid Yashodhara Nagar, Nagpur, Civil and Revenue District – Nagpur (M.H.)

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station – Simga, District – Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Mr. Rakesh Thakur, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.68/2015, registered at Police Station- Simga, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 4, 6, 7, 9, 10 & 11 of the Pashu Parirakshan Adhiniyam and U/s. 48, 49A, 50 of Pashu Parivahan Adhiniyam.
2. Case of the prosecution, in brief, is that on 21.02.2015 on information received that the applicant is carrying cow, ox, calf etc. for slaughter house from truck bearing No.M.P.-22H-0223, the said cattle were recovered. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and he is only driver and he has no nexus with the offence. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since

26.10.2015, therefore, the counsel prays that the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing on behalf of the parties.
6. Considering the facts and circumstances of the case, the nature of allegation leveled against the applicant and the fact that charge sheet in this case has been filed and the applicant is in jail since 26.10.2015, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge