

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 727 /2016

Amrit Pal Singh Dhilllo, S/o. Didar Singh, Aged About 23 Years, R/o. Plot No.250, Babadeep Singh Nagar, Nariroad, P.S. Jaripatka, Civil & Revenue District Nagpur, Maharastra.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, P.S. Gendatola, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Rakesh Thakur, Advocate.
For Respondent : Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11/08/2016

1. Apprehending arrest in connection with Crime No.49/2015 registered at Police Station- Gendatola, District Rajnandgaon (C.G.) for the offence punishable under Section 4, 6, 10, 11 of Krishak Pashu Parirakshan Adhiniyam & Section 47, 48, 49, 50, 52 of Pashu Krurta Adhiniyam & Section 66/192 of Motor Vehicle Act, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, on 22.08.2015 in a Truck bearing No.C.G.04 H.T. 4757, 35-40 cattle were being carried and due to such loading of the cattle in the like manner few of them were injured and few of them died and they were being carried to slaughter house at Nagpur and when it was intercepted, the applicant fled away from the vehicle.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and he has not been arrested and the applicant is the owner of the vehicle and he was not in the spot and

the offence has been committed by the other co-accused;
therefore, the applicant may be enlarged on anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perusal of the case diary shows that the matter is being investigated and the role of the present applicant is still to be ascertained. Considering the facts, nature of offence and the documents available in the case diary, it is not a case where the benefit of Section 438 of Cr.P.C. can be extended to the applicant.
6. Accordingly, the bail application filed under Section 438 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge