

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4190 of 2016

1. Tulasi S/o Dharma Aged About 30 Years, Caste Naik, R/o Chakariumar, P.S. Karanpasar, Tahsil Anooppur, Civil & Revenue District Anooppur, Madhya Pradesh.
2. Ghasi S/o Hema Aged About 60 Years, Caste Naik, R/o Chakariumar, P.S. Karanpasar, Tahsil Anooppur, Civil & Revenue District Anooppur, Madhya Pradesh.

---- Applicants

Versus

State Of Chhattisgarh Through Police Station Incharge Kukdur, Civil & Revenue District Kabirdham, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Dinesh Tiwari, Advocate
For Respondent/State	:	Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri
Order On Board By

01/08/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. 54/2016 registered at Police Station- Kukdur, District- Kabirdham (C.G.) for the offence punishable under Section 4, 6, & 10 of CG Agriculture cattle trespass.
2. As per the case of the prosecution, on 16/06/2016, a complaint was received by the police that the applicants were taking away 19 cattle by way of goading through the forest. Subsequently, the applicants were found taking away the cattle to the slaughter house and ultimately the offence was registered.
3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are farmers and have purchase the cattle, therefore, they may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents.
6. Considering the facts and circumstances of the case and particularly considering that the

charge-sheet has been filed, no further investigation is required and the applicants are in jail since 16/06/2016, this Court is inclined to release the applicants on bail.

7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on furnishing a personal bond of Rs.25,000/- each 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