

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4203 of 2016

1. Gajendra Singh @ Pappu, S/o. Amlikeswar @ Ambikeswar, aged about 26 years,
2. Amlikeswar @ Ambikeswar Gond, S/o. Rambilash Singh, aged about 52 years, Both R/o. Village-Raikela, P.S. - Lundra, Civil and Revenue District – Sarguja, District- Sarguja (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : Officer incharge-Lundra, District – Sarguja (Chhattisgarh)

---- Respondent

For Applicants	: Mr. Sanjay Agrawal, Advocate
For Respondent/State	: Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01/08/2016

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.51/2016, registered at Police Station – Lundra, District – Sarguja (C.G.) for the offence punishable under Section 379, 429, 34 of the Indian Penal Code and 11 (A) of Chhattisgarh Agricultural Cattle Prevention Act 2004.
2. Case of the prosecution, in brief, is that on 10.05.2016, the complainant, Ashok Kujur left his three cow and one calf for grazing, subsequently cattle did not return. Subsequently, the complainant while was going back to his home from Lundra Bank, saw that cattle were kept in the school campus and one of the cattle were made to

disable by the applicants.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case and no evidence is on record to show that the applicants have committed the crime. It is further submitted that charge-sheet in this case has been filed and the applicants are in jail since 19.05.2016, therefore, the counsel prays that the applicants 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. Considering the facts and circumstances of the case, the nature of offence and degree of allegation and further considering the fact that charge sheet in this case has been filed and the applicants are in jail since 19.05.2016, 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