

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4199 of 2016

1. Jalal Siddiqui & Anr. S/o Emamuddin Aged About 51 Years (Wrongly Mention As Shamuddin) Caste Musalman, R/o Kharwani, Police Station Baramkela, (Civil & Revenue) District Raigarh (Chhattisgarh).
2. Mukesh Sahni S/o Suresh Sahni Aged About 24 Years R/o Village Kharwani, Police Station Baramkela, Civil & Revenue District Raigarh, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Sarsiwani, Civil & Revenue District Balodabazar Bhatapara, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Anand Keshawani, Advocate.
For Respondent/State	:	Mr. Lav Sharma, 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 applicant who has been arrested in connection with Crime No. 85/2016 registered at Police Station- Sarsiwani; District (Revenue & Civil) – Balodabazar- Bhatapara (C.G.) for the offence punishable under Sections 04, 06, & 10 of C.G. Krishik Pashu Parirakshan Adhiniyam.
2. As per the case of the prosecution, on 26/05/2016, an information was received by Police Station Sarsiwani that the applicant was taking away cattle in a truck to slaughter house, ultimately, the truck was intercepted by the police, and from the possession of the applicant 10 cattle were recovered.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case, the charge-sheet has already been filed and there is no evidence on record to show that the applicant was transporting the cattle to slaughter house, therefore, he may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the documents and the case diary.
6. Considering the facts and circumstances of the case and particularly considering that the charge-sheet has already been filed, there is no evidence on record and the applicant is in jail since 27/05/2016, therefore, I am inclined to release the present applicant on 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 furnishing a personal bond for a 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge