

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4664 of 2016

1. Rajendra, S/o. Late Tikaram, Aged About 22 Years, R/o. Village & P.S. Sarsiwa, District Balodabazar – Bhatapara, Chhattisgarh.
2. Dinesh, S/o. Dauram Jangade, Aged About 22 Years, R/o. Sardhabhatha, P.S. Sarsiwa, District Balodabazar-Bhatapara, Chhattisgarh.
3. Sourabh Bajaj, S/o. Seetaram Bajaj, Aged About 19 Years, R/o. Sardhabhatha, P.S. Sarsiwa, District Balodabazar-Bhatapara, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station Saraipali, District Mahasamund, Chhattisgarh.

---- Respondent

For Applicants : Mr. Raghavendra Pradhan, Advocate

For Respondent : Ms. Shobha Kashyap, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.08.2016

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.206/2016 registered at Police Station- Saraipali, Distt. Mahasamund (C.G.) for the offence punishable under Section 2(H), 4, 6, 10 of Chhattisgarh Krishak Pashu Parirakshan Adhiniyam.
2. As per the prosecution case, on 27.06.2016, the applicants were traveling in their Bolero vehicle bearing No.C.G. 13 UT 1977 and the Truck bearing No.H.R. 42 0350 was following them and the Truck was intercepted and 32 Ox were recovered from the Truck and it was stated that the applicants were piloting the Truck, which was carrying the cattle.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and they were only going in front of the Truck and no evidence is available that the applicants were the owner. It is further submitted that the applicants are the students and they were going to temple in their vehicle, therefore, they may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances, the degree of allegation and the fact that the charge sheet has been filed, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge