

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4449 of 2016

1. Milendra Netam s/o. Rajkumar Netam Aged About 32 Years Caste - Ganda, R/O Village - Khajurpadar, Police Station - Devghog, District - Gariyaband Chhattisgarh
2. Prabhulal Netam s/o. Sunder Netam Aged About 35 Years Caste - Ganda, R/O Village - Khajurpadar, Police Station - Devghog, District - Gariyaband Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through : Police Chowki - Tuhlu, Police Station - Komakhan, District - Mahasamund Chhattisgarh

For Applicants : Mr. Jagdish Singh Baraik, Advocate

For Respondent/State : Mrs. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29-08-2016

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 on 3-7-2016 in connection with Crime No. 50 of 2016, registered at Police Chowki-Tuhlu, Police Station Komakhan, District Mahasamund (CG) for the offence punishable under Sections 4, 6 & 10 of Chhattisgarh Krishik Pashu Parirakshan Adhiniyam.
2. Case of the prosecution is that the applicants along with other co-accused persons were carrying 114 live cattle for slaughtering purpose. They were intercepted and from the possession of the applicants and other-accused persons, the said cattle were recovered and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicants would submit that the present applicants are dealing in business of cattle purchase and sale and they have purchased the said cattle from the market. He would further submit that the applicants

have been falsely implicated in the instant case, charge-sheet has been filed in the case, the applicants are in jail since 3-7-2016 and no further investigation is required, therefore, they may be released on bail.

4. On the other hand, learned State counsel opposes the application for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary and documents which would show that the applicants have purchased the said cattle from the market.
6. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicants and further considering the fact that the applicants have purchased the said cattle from the market, charge sheet has been filed and the applicants are in jail since 3-7-2016, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju