

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5406 of 2016

1. Suhail Ansari, S/o. Majid Ansari, aged about 23 years,
2. Fakhruddin Ansari, S/o. Gayasuddin Ansari, aged about 38 years,
Both R/o. Vijay Nagar, P.S. Ramanujganj, District – Balrampur –
Ramanujganj (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : the Police Station – Ramanujganj,
District – Balrampur – Ramanujganj (C.G.)

---- Respondent

For Applicants	: Mr. A.K. Yadav, Advocate
For Respondent/State	: Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/09/2016

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.57/2016, registered at Police Station – Ramanujganj, District – Balrampur – Ramanujganj (C.G.) for the offence punishable under Section 4, 6, 10 and 11 (01) A, B of C.G. Agriculture Cattle Preservation Act, 2004.
2. Case of the prosecution, in brief, is that on 02.07.2016, the applicants were driving away the cattle to the slaughter house at village and being taken towards Jharkhand. The applicants were apprehended by the villagers and thereafter the report was made. Thereby the offence has been committed.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. It is further submitted that the applicants have purchased the cattle from market and they are dealing with the business of sale and purchase of cattle. It is further submitted that charge-sheet in this case has been filed and the applicants are in jail since 02.07.2016, 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 the degree of allegation and further considering the fact that charge-sheet in this case has been filed and the applicants are in jail since 02.07.2016, 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