

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5374 of 2016

- Ranu Singh S/O Ram Singh Bhadouriya Aged About 30 Years R/O 103, Govind Nagar, Narsay Road, P.S. Hadkeshwar, Nagpur, Maharashtra.

---- **Appliant**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Somni, Rajnandgaon, District Rajnandgaon, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Abhishek Sinha, Advocate

For Respondent/State : Mr. Anant Bajpai, 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 for grant of regular bail to the applicant who has been arrested on 16-06-2016 in connection with Crime No. 23 of 2016, registered at Police Station Somni, Rajnandgaon, District Rajnandgaon (CG) for the offence punishable under Sections 4, 6 and 10 of the CG Agriculture Cattle Preservation Act, Section 11 (d) of the Prevention of Cruelty to Animals Act along with Sections 146, 196 and 181 of the Motor Vehicles Act.
2. Case of the prosecution is that on 13-2-2016 the applicant was carrying 22 cattle out of which two were dead in the Truck registration bearing No. CG -04-J-8436 5537 and they were being taken to Nagpur for slaughtering purpose. They were intercepted and the applicant was arrested and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the present applicant was not in possession of the vehicle and in fact it was sold to one Asim Qureshi who was in

possession of the vehicle and the sale was made long back in the year 2014 which is evident from Annexure A/2. He would further submit that the applicant has been falsely implicated in the instant case, charge-sheet has been filed in the case, the applicant is in jail since 16-06-2016 and no further investigation is required, therefore, he 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 statements
6. Perused the document (Annexure A/2) which would show that the vehicle was sold to one Asim Quresh in the year 2014.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the document (Annexure A/2) and also the fact that the charge-sheet has been filed and the applicant is in jail since 16-06-2016, I am inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his 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 his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju