

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5775 of 2016

Moh. Yasim, S/o Abdul Ajij, Aged About 35 Years, R/o Near Hockey Building, Lakaiganj Kamthi, Civil & Revenue District Nagpur, (M.H.)

---- Applicant

Versus

State Of Chhattisgarh Through Police Station- Simga District- Balodabazar, Chhattisgarh.

---- Respondent

For applicant - Shri Rakesh Thakur, Advocate.
For Respondent/State – Shri Vinod Tekam, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

26/09/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.101/2016 registered in Police Station Simga, Distt. Baloda Bazar (C.G.) for offence punishable under sections 4, 6, 7, 9, 10 & 11 (D) of the C.G. Krishak Pashu Parirakshan Adhiniyam 2004 and U/s 47(A), 47(C) 48, 49 (A), 49(B) 50, 51 (1), 52 (2) and 54(3) of Prevention of Cruelty to Animals Act, 1960 and Section 81, 91 of Motor Vehicle Act.

2. As per the prosecution case, on 19/04/2016 at about 10:45 near RTO Barrier Simga when Tata vehicle 1109 of the applicant bearing No.MH 40 Y 3797 was intercepted it was found that 21 cattles were being carried in the vehicle and the driver of the vehicle fled away. Subsequently, it was found that the vehicle was in the name of Raju Pavar which was sold to Wasim Haider and Wasim Haider has given it on rent to applicant Mohd. Yasim who was in possession of the vehicle.

3. Learned counsel for the applicant submits that charge sheet in this case has been filed, no further investigation is necessary, applicant was not apprehended on the spot and he has been falsely implicated in the

case. Therefore, learned counsel submits that the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Charge sheet in this case has been filed. Considering the facts and circumstances of the case and the applicant is in jail since 30/06/2016, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE