

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6071 of 2016

- Vinod Azad S/O Asli Azad Aged About 22 Years R/O Village Devarghatta Police Station Hasouad, District - Janjgir - Champa Chhattisgarh

---- **Petitioner**

Versus

- State Of Chhattisgarh Through - S. H. O. Hasouad, District Janjgir - Champa Chhattisgarh

---- **Respondent**

For Applicant : Mr. Ishwar Jaiswal, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03-10-2016

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 8-7-2016 in connection with Crime No. 89 of 2016, registered at Police Station Hasouad, District Janjgir -Champa (CG) for the offence punishable under Section 429 of the IPC and Section 4 – 10 of the Chhattisgarh Agricultural Cattle Preservation Act, 2009 (for short, “the Act, 2009).
2. Case of the prosecution, in brief, is that the applicant killed an Ox and was trying to sell its beef. On information being received, Police party raided the spot, the applicant was intercepted and he was arrested with 150 kgs of mutton and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that only alleged one kg of mutton was sent for FSL, rest of the mutton

was alleged to have destroyed and there has been violation of Rule 7 of the Act, 2009. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 8-7-2016 and no further investigation is necessary, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the fact that charge-sheet in this case has been filed, the applicant is in jail since 8-7-2016, investigation is complete and no further investigation would be necessary, I am inclined to release the applicant on bail.
7. 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