

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6001 of 2016

1. Ghanshyam, S/o. Madanpal, aged about 40 years, Occupation- Truck Driver, R/o. Yashodhara Nagar, Near Pani Tanki, Thana – Yashodhara Nagar, Nagpur (Maharashtra). Present address : Bhilai Transport Nagar, Thana – Chhawni Bhilai, District – Durg (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Police Station Hirri, District - Bilaspur (C.G.)

---- Respondent

M.CR.C. No. 6110 of 2016

1. Sadhe Tandon, S/o. Genduram, aged 34 years,
 2. Sanjay Kumar Tandon, S/o. Genduram, aged 30 years.
- Both R/o. Village- Keshruwadih, Police Station – Jarhagaon, Tehsil and District – Mungeli (C.G.).
3. Reshamlal, S/o. Chhedilal, aged 67 years, R/o. Village-Kureli, Police Station – Hirri, District - Bilaspur, Chhattisgarh

----Applicants

Versus

1. State of Chhattisgarh, Through : Police Station – Hirri, District – Bilaspur (C.G.)

---- Respondent

AND

M.CR.C. No. 6128 of 2016

1. Santu Kumar Patre, S/o. Shri Dandu Ram Patre, aged about 30 years, Caste- Satnami, R/o. Village-Kureli, Police Station – Hirri, Tehsil – Takhatpur, District – Bilaspur (C.G.)

----Applicant

Versus

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

---- Respondent

For Applicants	: Mr. Rakesh Pandey, Advocate
For Respondent/State	: Mr. Vinod Tekam & Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/10/2016

1. These are the first bail applications 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.94/2016, registered at Police Station – Hirri, District – Bilaspur (C.G.) for the offence punishable under Section 11 of Prevention of Cruelty to Animals Act, 1960 and under Section 6 and 10 of C.G. Krushik Pashu Parirakshan Adhiniyam, 2004.
2. Case of the prosecution, in brief, is that on 01.08.2016 at about 12.30, the applicants were carrying 17 buffaloes in the truck bearing No.C.G.-04-JA-5586 and on being intercepted, the applicants who were also along with the truck with buffaloes were apprehended. It is alleged that the buffaloes were taken for slaughter house.
3. Learned counsel for the applicants, submits that the applicants had purchased the cattle and they were being taken. It is further submitted that the applicants have been falsely implicated in this case as they were carrying the business of sale and purchase of cattle. It is further submitted that charge-sheet in this case has been filed and no further investigation is required and the applicants are in jail since 01.08.2016 and 22.08.2016, 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 levelled against the applicants and further considering the fact that charge-sheet in this case has been filed and the applicants are in jail since 01.08.2016 and 22.08.2016, 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 applications filed under Section 439 of the Cr.P.C. are 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