

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6523 of 2016

1. Tamaku Ram Nag, S/o. Shri Pyarelal, Aged About 22 Years, By Caste Gada, R/o. Narayanpur, Thana & Tahsil Narayanpur, District Narayanpur, Chhattisgarh.
2. Dinesh Baghel, S/o. Shri Shanker Bhaghel, Aged About 23 Years, By Caste Gada, R/o. Village Bhond, Thana Bastar, Civil & Revenue District Jagdalpur, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station- City Kotwali Dhamtari, Civil & Revenue District Dhamtari, Chhattisgarh.

---- Respondent

For Applicants : Mr. Sumit Shrivastava, Advocate

For Respondent : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24.10.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.310/2016 registered at Police Station- City Kotwali, Dhamtari, District Dhamtari (C.G.) for the offence punishable under Section 4, 6 & 10 of the Chhattisgarh Krishak Pashu Parirakshan Adhiniyam, 2004 and Section 66/192 of the Motor Vehicle Act.
2. As per the prosecution case, on 19.09.2016 the applicants were taking 31 cattle to the slaughter house in the Truck with all cruelty and when the Truck was intercepted they were found to be in possession of the cattle; thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicants have been falsely implicated and there is no evidence that the applicants were taking the cattle to the slaughter house. He further

submits that the applicants were only the Driver & Helper of the vehicle and the charge sheet in this case has been filed, therefore, the applicants may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature of offence and degree of allegations and the fact that the charge sheet has been filed, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge