

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6684 of 2016

1. Baran Patel, S/o. Sawant Patel, Aged About 20 Years, Occupation- Agriculturist.
2. Fallu, S/o. Anjor Jhariya, Aged About 35 Years, Occupation- Agriculturist.
3. Siyaram, S/o. Lakhan Patel, Aged About 30 Years, Occupation- Agriculturist.
4. Sahebu, S/o. Bhagoli Patel, Aged About 42 Years, Occupation- Agriculturist.

All are R/o. Village- Sarodhi, Police Station- Salhewara, Tahsil- Chhuikhadan, Civil & Revenue District- Rajnandgaon, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Kawardha, District Kabirdham, Chhattisgarh.

---- Respondent

For Applicants : Mr. Dharmesh Shrivastava, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03.11.2016

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.337/2016 registered at Police Station- Kawardha, District Kabirdham (C.G.) for the offence punishable under Sections 4, 6, 10 of C.G. Agriculture Cattle Preservation Act, 2004 and Section 11 of C.G. Krishi Pashupalan Adhiniyam, 2004.
2. As per the prosecution case, one Dinesh & Bhagwat were carrying total 16 cattle in two mini metador and they were being taken to the slaughter house. When it was intercepted, on enquiry, it reveals that the present applicants were following the cattle which were

being taken away and on the statement of Dinesh & Bhagwat, the applicants have been inculpated.

3. Learned counsel for the applicants would submit that there is no evidence against the present applicants and only on the statement of Dinesh & Bhagwat, on assumption, the applicants have been inculpated. He further submits that the charge sheet has been filed and the seizure was made from Dinesh & Bhagwat, 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 and the fact that seizure was made from Dinesh & Bhagwat and further considering the fact that the charge sheet has been filed and the applicants are in jail since 19.09.2016, 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