

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7312 of 2016

1. Mahendra Singh S/o Buddhu Gond, Aged About 50 Years R/o Village Umarjhola, Police Station Gadhi, Tahsil - Baihar, Civil And Revenue District Balaghat Madhya Pradesh
 2. Ganpat, S/o Jogi Dhurve, Aged About 60 Years R/o Village Umarjhola, Police Station - Gadhi, Tahsil - Baihar, Civil And Revenue District Balaghat Madhya Pradesh
 3. Baliram S/o Prem Yadav, Aged About 36 Years R/o Village Patuva, Police Station Gadhi, Tahsil Baihar, Civil And Revenue District Balaghat Madhya Pradesh
 4. Raju, S/o Ramprasad Dhurve, Aged About 27 Years R/o Village Patuva, Police Station Gadhi, Tahsil Baihar, Civil And Revenue District Balaghat Madhya Pradesh
- Applicants**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station - Pipariya, District Kabirdham Chhattisgarh
- Respondent**

For the applicants	:	Mr. Dharmesh Shrivastava, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 213/2016 registered at P.S. Pipariya, Distt. Kabirdham (C.G) for the offence punishable under Sections 4, 6, 10 of the C.G. Agricultural Cattle Preservation Act, 2004.
2. As per the prosecution case, on 15.09.2016 while the applicants were driving away 80 cattle to village Paliguda they were intercepted by the police and on enquiry it was revealed that and the cattle were being taken to slaughter house, thereby the offence is committed.

3. Learned counsel for the applicants would submit that the applicants were engaged in grazing cattle of the villages and the cattle were not being taken to slaughter house. He further submits that there is no evidence to show that the cattle were being taken to slaughter house. He also submits that the charge sheet has been filed; no further investigation is necessary and the applicants are in jail since 17.09.2016, therefore, they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents. Considering the nature of evidence collected by the prosecution and totality of facts and circumstances particularly the fact that the charge sheet in this case has been filed; no further investigation is necessary and the applicants are stated to be in jail since 17.09.2016, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**