

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7597 of 2016

1. Bhagwat Sahu . S/o Shivkumar Aged About 21 Years R/o Village Indauri, Police Station Pipariya, Tahsil Kawardha, Civil & Revenue District Kabirdham, Chhattisgarh.
2. Jaylal Sinha S/o Vijay Sinha Aged About 23 Years R/o Village Bandaura, Police Station Kawardha, Civil & Revenue District Kabirdham, Chhattisgarh.
3. Sarju Sahu S/o Ramprasad Aged About 22 Years R/o Village Kosmanda, Police Station Pipariya, Tahsil Kawardha, Civil & Revenue District Kabirdham, Chhattisgarh.
4. Dinesh Nishad S/o Sawant Nishad Aged About 25 Years R/o Village Kosmanda, Police Station Pipariya, Tahsil Kawardha, Civil & Revenue District Kabirdham, Chhattisgarh. --- Applicants

Versus

- State of Chhattisgarh through District Magistrate/ Station House Officer, Police Station Kawardha, District Kabirdham, Chhattisgarh.

---- Respondent

For the applicants	: Mr. Dharmesh Shrivastava, Advocate
For the Respondent	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 337 of 2016 registered at P.S. Kawardha, Distt. Kabirdham (C.G) for the offence punishable under Sections 4, 6, 10 of the C.G. Agriculture Cattle Preservation Act, 2004 and Section 11 of the C.G. Krishi Pashupalan Adhiniyam 2004.
2. As per the prosecution case, applicants Dinesh & Bhagwat were carrying total 16 cattle in two mini metador and they were being taken to slaughter house. When the vehicles were intercepted, on enquiry it was stated that the present

applicants were carrying the cattle which were being taken away and on the statement of applicants Dinesh and Bhagwat, the other accused/applicants were also taken into custody.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated and only on presumption that the cattle were being taken to slaughter house the applicants have been implicated. He submits that the charge sheet in this case has been filed; no further investigation is necessary and the applicants are in jail since 19.09.2016, therefore, they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail application.
5. Taking into consideration the facts and circumstances of the case especially the fact that the charge sheet has been filed; no further investigation is necessary and the applicants are stated to be in jail since 19.09.2016, this Court is inclined to allow this bail application.
6. Accordingly, this application is allowed and the 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 said Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE