

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7797 of 2016

Shekh Mannan, S/o. Shekh Abdul, Aged About 53 Years, R/o. Kamgar Nagar, Nagpur, Plot No. 1014, Police Station Jaripatka, District Nagpur (Maharashtra).

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station Simga, District Baloda Bazar- Bhatapara (Chhattisgarh).

---- Respondent

For Applicant : Mr. Anil Gulati, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/12/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.243/2015 registered at Police Station- Simga, District Baloda Bazar- Bhatapara (C.G.) for the offence punishable under Sections 4, 6, 7, 9, 10, 11 of Chhattisgarh Krishak Pashu Parirakshan Adhiniyam, 2004 and 48, 49, 50 of Cruelty to Animal Act.
2. Case of the prosecution, in brief, is that on 27.07.2015 on information received that in the vehicle bearing No.MH 31 CB 8470 the cattle were being carried to the slaughter house, the Truck was being intercepted and on the Truck 26 cattle were recovered and on investigation it was found that the said vehicle was registered in name of the present applicant.
3. Learned counsel for the applicant would submit that the applicant has been inculpated only on the ground that the said vehicle is

registered in name of the present applicant. He further submits that the charge sheet has been filed and no further investigation is necessary and the applicant is in jail since 29.09.2016, therefore, he 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 the charge sheet has been filed and the applicant is in jail since 29.09.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge