

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 5746 of 2017**

1. Manoj Gosai S/o Aalam Gosai, aged about 32 years, R/o Village Devpura, Police Station Gandai, Tahsil Chhuikhadan, District Rajnandgaon, Chhattisgarh.
2. Jwala Gosai S/o Awtar Gosai, aged about 24 years, R/o Village Devpura, Police Station Gandai, Tahsil Chhuikhadan, District Rajnandgaon, Chhattisgarh.
3. Suraj Gosai S/o Janak Gosai, aged about 25 years, R/o Village Devpura, Police Station Gandai, Tahsil Chhuikhadan, District Rajnandgaon, Chhattisgarh.
4. Aghan Yadav S/o Khetha Yadav, aged about 60 years, R/o Village Devpura, Police Station Gandai, Tahsil Chhuikhadan, District Rajnandgaon, Chhattisgarh.

---- Applicants**Versus**

State of Chhattisgarh through Station House Officer, Police Station Gandai, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicants	:	Shri Abhishek Sharma, Advocate
For Respondent/State	:	Smt. M. Asha, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****24/11/2017**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicants who have been arrested in connection with Crime No. 146/2017 registered at Police Station Gandai, District Rajnandgaon(CG) for the offence punishable under Sections 4, 6, 10 of Chhattisgarh Krishi Pashu Parikshan Adhiniyam, 2004 and Section 11 (1) of Animal Cruelty Act. The applicants are in jail since 09.07.2017.

2. The case as per the prosecution is that the applicants were found taking about 60 cattle to Nagpur for slaughter purpose.
3. Counsel for the applicants submits that it is a case where the applicants had purchased the animals from cattle fair held near the village

Thakurtola from where they were taking the said cattle for personal use where the Police authorities on some secret information have apprehended them. Counsel for the applicant submits that there is no proof whatsoever of the applicants taking the cattle for slaughter purpose and prays for grant of bail to the applicants.

4. State counsel, however, opposes the bail application on the ground that there was no evidence to show that the cattle were purchased from the cattle fair and that the same were being transported to Nagpur for slaughter purpose. Thus, prayed for rejection of the bail application.

5. Considering the entire facts and circumstances of the case and also taking note of the nature of offence, this Court is of the opinion that prima facie, a strong case for grant of bail has been made out.

6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicants will be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
JUDGE