

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5451 of 2017

Anish Minj S/o Vijay Minj, Aged About 21 Years Occupation Labour, R/o Village Kilkila, Police Station & Tehsil Pathalgaon District Jashpur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station & Tehsil Pathalgaon District Jashpur Chhattisgarh.

---- Respondent

For Applicant	:	Shri Nishikant Sinha, Advocate
For State	:	Ms. Sunita Jain, Panel Lawyer

And

MCRC No. 5948 of 2017

1. Amosh Lakda S/o Shri Bahadur Lakda, Aged About 26 Years Caste Uraon, R/o Village Kilkila, Police Station Pathalgaon, District Jashpur Chhattisgarh.
2. Ajesh Lakda S/o Shri Shobha Ekka, Aged About 27 Years Caste Uraon, R/o Village Kilkila, Police Station Pathalgaon, District Jashpur Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Pathalgaon, District Jashpur Chhattisgarh.

---- Respondent

For Applicants	:	Shri Ajeet Kumar Yadav, Advocate
For State	:	Ms. Sunita Jain, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/12/2017

Heard.

1. MCRC No.5451 of 2017 and MCRC No.5948 of 2017 are being disposed off by this common order as all the applicants in these bail applications are arrested in

connection with Crime No.135 of 2017 registered at Police Station- Pathalgaon, District- Jashpur (C.G.) for the alleged commission of offence under Sections 429, 120-B, 201 IPC and Sections 4,5,6,10 of the C.G. Agricultural Cattle Preservation Act 2004.

2. Case of the prosecution, in brief, is that from the possession of the applicants, cow beef was recovered.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated. They have not committed any offence. They are not involved in slaughtering of cows, therefore, offence under the Act cannot be said to be made out against them. It is further submitted that the applicants are in jail since 15.7.2017, investigation is complete and charge sheet has been filed and they are not likely to abscond, therefore, they may be released on bail.
4. On the other hand, learned counsel for the State, opposing the bail applications, submits that as cow beef was recovered from the possession of the applicants, prima facie case is made out against them, therefore, they are not entitled for grant of bail.
5. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration the nature of allegation, maximum punishment which could be awarded for alleged commission of offence and that investigation is complete, charge sheet has been filed, both the applications are allowed.
6. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge