

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 184 of 2017

1. Mukddar Ansari, S/o. Azim Ansari, Aged About 22 Years.
2. Hamidullah Ansari, S/o. Noor Mohmad, Aged About 22 Years.
3. Raimun Toppo, S/o. Gupta Toppo, Aged About 27 Years.

All are R/o. Village- Ramnagar, Police Station- Balrampur, District- Balrampur, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station- Balrampur, District- Balrampur, Chhattisgarh.

---- Respondent

For Applicants : Mr. Arun Shukla, Advocate

For Respondent : Mr. Avinash K. Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06/02/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.86/2016 registered at Police Station- Balrampur, District Balrampur (C.G.) for the offence punishable under Section 379, 429/34 of Indian Penal Code and Section 11(1)(A) of Pashu Krurta Adhiniyam and 5 & 10 of C.G. Krishak Pashu Parirakshan Adhiniyam.
2. As per the prosecution case, a report was made by one Vinod Bakhla that the present applicants alongwith others have stolen the cow of the complainant and slaughtered it and sold some of the meat and rest of it was kept in the house of one Premsagar Minj. Thereby, the offence has been committed.

3. Learned counsel for the applicants would submit that there is no seizure in this case and the applicants have been falsely implicated only on the unworthy statement of few of the interested persons. He further submits that the charge sheet in this case has been filed and no further investigation is necessary, therefore, the applicants 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, nature of offence and degree of allegation and further considering the fact that the charge sheet has been filed and the applicants are in jail since 10.08.2016, 11.08.2016 & 12.08.2016 respectively, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge