

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 454 of 2017

- Shubham Rakesh Dongre S/o Rakesh Manohar Dongre, Aged About 23 Years R/o Near Imambada Post Office, House No. 79, New Balmiki Colony Nagpur, Police Station Imambada, District Nagpur Maharashtra
--- **Petitioner**

Versus

- State of Chhattisgarh through P. S. O. Police Station Ranitarai, District Durg Chhattisgarh
--- **Respondent**

For the applicant	:	Mr. M.S. Baeg. Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.02.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No.36/2016 registered at Police Station Ranitarai, Distt. Durg (C.G) for the offence punishable under Sections 4, 6, 10 of the Chhattisgarh Prevention of Agricultural Animal Act, 2004 and Section 11 of Prevention of Cruelty to Animals Act 1960 read with section 66/ 192, 3/81, 146/196 of the Motor Vehicles Act.
2. As per the prosecution case, on 02.03.2016 certain information received that the cattle are being transported in a vehicle bearing Regn. No. MH.20-CT/0696 on which the police intercepted the vehicle and found that as many as 15 cattle are being taken to the slaughter house at Nagpur. At that time, the vehicle was left in abandoned condition. Out of 15 cattle , 1 buffalo was found to be dead.

3. Learned counsel for the applicant would submit that the applicant has given the vehicle on rent to one Rajendra Makkad and he was plying the vehicle and the applicant on the date of incident was working as ward-boy at CIMS Hospital, Nagpur. It is submitted that the cattle have been seized and the applicant has been inculpated on the ground that he is owner of the vehicle. He further submits that the charge sheet has been filed, no further investigation is necessary and the applicant is in jail since 18.11.2016, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and documents. Considering the facts and circumstances of the case especially the fact that the seizure of cattle has been made; charge sheet has been filed; no further investigation is necessary and the applicant is in jail since 08.11.2016, I am inclined to release him on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**