

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4273 of 2017**

1. Premlal S/o Kartikram, Aged About 55 Years R/o Karmandeah Police Station Bhatapara, District (Revenue & Civil) Balodabazar Bhatapara (Chhattisgarh).
2. Rupnarayan S/o Shivprasad, Aged About 22 Years R/o Karmandeah Police Station Bhatapara, District (Revenue & Civil) Balodabazar Bhatapara (Chhattisgarh).

---- Applicants**Versus**

State Of Chhattisgarh Through Police Chowki Lawan Police Station Kasdol District (Revenue & Civil) Balodabazar- Bhatapara (Chhattisgarh).

---- Respondent**And****M.Cr.C. No. 5271 of 2017**

1. Sheetal Banjare S/o Gopal Banjare, Aged About 40 Years R/o Village Karmandih, Police Station City Kotwali Baloda Bazar, District Baloda Bazar Bhatapara, Chhattisgarh.
2. Govind Tandan S/o Haridas Tandan, Aged About 33 Years R/o Village Karmandih, Police Station City Kotwali Baloda Bazar, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Applicants**Vs**

State Of Chhattisgarh Through The Station House Office, Police Station Kasdol, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Sumit Jhawar and Shri A.S. Rajput, Advocates.
For the Respondent/State	:	Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****06.11.2017**

1. Heard.

2. Both these applications are being decided by a common order as they arise from the similar matter. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to them who have been arrested in connection with Crime No.221 of 2017, registered at Police Station – Kasdol, District – Baloda Bazar, Bhatapara, Chhattisgarh for the offence punishable under Sections 4, 6 and 10 of the Chhattisgarh Krishak Pashu Parirakshan Adhiniyam, 2004.

3. Learned counsel for the applicants submit that the applicants have been falsely implicated in this case. The applicants are agriculturists of District Baloda Bazar and had the agricultural cattle in their possession which has been seized on pretext that the same were being taken to the slaughter house. The applicants in M.Cr.C. No.4273 of 2017 are in jail since 6.6.2017 and the applicants in M.Cr.C. No.5271 of 2017 are in jail since 10.7.2017. The case is triable by the Judicial Magistrate First Class and the conclusion of the trial is likely to take some time for its final disposal. Hence, it is prayed that the applicants in both the cases be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that a total of 144 cattle were seized from the possession of the applicants and in interrogation it was admitted by them that all the cattle were being taken to Orissa to a slaughter house.

5. Heard counsel for both the parties and perused the case diary.

6. Considering the rival submissions in this case and noticing the fact that the applicants are agriculturists and local residents of this area, there is no difficulty in their availability during trial, also the charge-sheet has been filed and the trial is likely to take some time for its final disposal, hence, the application deserves to be allowed.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that the applicants in both the cases shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge