

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5422 of 2017

Imran Kuraishi S/o Late Shri Yashin Kuraishi Aged About 40 Years R/o Masanganj, Bilaspur, Police Station- Civil Line, Tahsil-Bilaspur, Civil & Revenue District- Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through- The Station House Officer, Police Station- Chilfi, Civil & Revenue District- Kabirdham, Chhattisgarh

---- Respondent

For Applicant : Shri Surfaraj Khan, Advocate
For State : Shri Avinash Singh, Panel Lawyer

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

Order On Board

21/11/2017

Heard.

1. The applicant has been arrested in connection with Crime No.7 of 2017 registered in Police Station- Chilfi, Kabirdham (C.G.) for alleged commission of offence under Sections 4, 6 & 10 of the C.G. Agricultural Cattle Preservation Act, 2004.
2. Case of the prosecution, in brief, is that agricultural cattle were being transported in the vehicle owned by the applicant. It is the case of the prosecution that the cattle were being transported for the purpose of being butchered.
3. Learned counsel for the applicant would submit that the applicant was not found in the vehicle and one who was driving the vehicle had run away. He would further submit that the investigation is complete and now charge sheet has also been filed and therefore at this stage, looking to the nature of allegation against him and the maximum sentence that could be

awarded for alleged offence, the applicant may be released on bail.

4. On the other hand, learned counsel for the State, opposing the bail application, submits that the applicant's vehicle was directly involved in transportation of the agriculture cattle, therefore, prima facie case is made out and if he is released on bail, he may adversely affect the trial.
5. Taking into consideration the submissions made by learned counsel for the parties, considering the nature of allegation and the material on the basis of which the applicant is alleged to be involved and further considering that the investigation is complete, charge sheet has been filed and the applicant is not likely to abscond, the application is allowed.
6. It is directed that the applicant shall be released on bail on his 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 applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge