

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C No. 5582 of 2017

Tahal Singh @ Badku Verma S/o Kamal Singh Verma, Aged
About 26 Years R/o Village Bade Munagi, P. S. Mandir Hasod,
Raipur, Tahsil And District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Mandir Hasod,
District Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Ms. Anju Ahuja, Advocate.

For the Respondent/State : Shri Vinod Tekam, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27.11.2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 161/2017, registered at Police Station –Mandir Hasod,

District – Raipur (C.G), for the offences under Section 429, 34 of the Indian Penal Code and under Section 4, 5, 6, 10 of C.G. Krishak Pashu Parirakshan Adhiniyam Act, 2004.

2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case, on the basis of statement given by co-accused person given on memorandum which is not legally admissible, he is in jail since 24.05.2017. The applicant is ready to abide by all the conditions which may be imposed while granting bail to the applicant. Hence, the applicant prays for grant of bail.
3. Learned counsel for the State opposes the bail application and submissions made in this respect. It is submitted that 5 calves were slaughtered and butchered by the applicant and co-accused person on account of which the case has been registered against the applicant and others, hence, the applicant is not entitled for grant of bail
4. Heard counsel for both the parties and perused the case diary.
5. As per the information received the police party arrived at the spot where the five slaughtered and butchered calves were found and the applicant was also present on the spot. On the basis of the seizure and the statement of witnesses, the case has been registered against the applicant and others.
6. Considering the submissions and contents of the case diary and the nature of allegation against the applicant that he is a local resident of District – Raipur that his availability before the trial Court can be ensured that he is ready to abide by all the conditions imposed upon him, this Court is of the opinion that this is a fit case where the applicant is entitled for grant of bail.

7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd /-

(Rajendra Chandra Singh Samant)

Judge

Jamal