

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6210 of 2017**

1. Khima Khan S/o Bahadur Khan, Aged About 39 Years
2. Saddam Khan S/o Piru Khan, Aged About 25 Years

Both R/o Village Rengakhar, Police Station Salhewara, Tehsil Chhuikhadan,
District Rajnandgaon, Chhattisgarh

---- Applicants

Versus

- State of Chhattisgarh Through The Police Station Salhewara District
Rajnandgaon, Chhattisgarh

---- Respondent

For Applicants	:	Shri Ashok Dixit, Advocate
For Respondent-State	:	Shri S.K. Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****28/11/2017**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 12.09.2017 in connection with Crime No. 35/17 registered at Police Station Salhewara, District Rajnandgaon (CG) for the offence punishable under Sections 4, 6, 10, 11 of the C.G. Agricultural Cattle Preservation Act, 2004 and Section 11 (1) of the Prevention of Cruelty to Animals.
2. As per the prosecution case, on 16.05.2017 an information was received that the present applicants were driving away 26 cattles through a village Golderdeeh and were going towards Dalli. It was alleged that the said cattles

were being taken to the slaughter house. As such the offence has been committed.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated as there is no evidence against the applicants. He would further submit 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. Considering the facts circumstances of the case and also the fact that the charge-sheet in this case has been filed and the applicants are in jail since 12.09.2017 and the offence is triable by JMFC, I am inclined to release the applicants on bail.
6. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu