

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6441 of 2017**

Monoj Tandon S/o Mohan Lal Aged About 29 Years R/o Village Akaltara, Tahsil & Police Station Simga & District Balodabazar Bhatapata Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Simga, District Balodabazar Bhatapara Chhattisgarh.

---- Respondent

For the Applicant	:	Shri B.L. Sahu, Advocate.
For the Respondent/State	:	Shri Arvind Kumar Shukla, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****04.12.2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.54 of 2017, registered at Police Station Simga, Civil and Revenue District Baloda Bazar, Chhattisgarh for the offences punishable under Section 429 read with Section 34 of the Indian Penal Code, Sections 4, 10 and 11 of the Chhattisgarh Protection of Cultivation Animal Act, 2004 and Section 5 of the Chhattisgarh Protection of Cultivation Animal Act, 2011.

2. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. The applicant is in jail since 18.02.2017. The case has been investigated and the charge-sheet has been filed. The trial of the case is likely to take some time for its final

disposal, the case is triable by the Judicial Magistrate First Class and the applicant is ready to abide by all the conditions that may be imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

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

5. The facts of the case are that on 18.2.2017, the police personnel of P.S. Simga raided the spot of incident on the basis of information received and found one calf slaughtered and cut to pieces for dressing. The applicant and two others were found on the spot who were arrested and the offences were registered against them.

6. Considering the submissions made and the contents of the case diary and also taking into consideration the fact that the offence is triable by the Judicial Magistrate First Class and the applicant is a local resident of District Baloda Bazar, I am of the considered view that no purpose would be served if the applicant is kept in detention for the whole period of trial. Hence, this application deserves to be allowed.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on 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 his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge