

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8000 of 2016

1. Santu Sahu, S/o. Shri Hublal Sahu, Aged About 36 Years, R/o. Village - Bagoud, Thana & Tahsil - Kurud, Civil & Revenue District – Dhamtari, Chhattisgarh.
2. Devendra Kumar, S/o. Dhansingh Sahu, Aged About 26 Years, R/o. Village - Charota, Thana - Bhakhara, Civil & Revenue District Dhamtari, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station - Keregaon, Civil & Revenue District Dhamtari, Chhattisgarh

---- Respondent

For Applicants : Mr. Suni Sahu, Advocate.

For Respondent : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09.01.2017

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 in connection with Crime No.46/2016 registered at Police Station- Keregaon, District Dhamtari (C.G.) for the offence punishable under Section 4, 6 & 10 of the Chhattisgarh Krishak Pashu Parirakshan Adhiniyam, 2004.
2. As per the prosecution case, on information received on 16.11.2016 that the applicants are transporting the cattle to the slaughter house, on the way of Bagoud to Bhursidongari, on a raid being conducted from the possession of the applicants, five cattle were recovered, which were being transported to the slaughter house.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated as the applicants owned the said cattle and they have not committed any offence. He further submits that the charge sheet 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. Perused the case diary and the documents. Considering the facts and circumstances of the case and the fact that the charge sheet has been filed and the applicants are in jail since 16.11.2016, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge