

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8544 of 2016

- Shekh Afsar S/o Shekh Hasan, Aged About 45 Years R/o Dak Bangla, City Kotwali, Thana- City Kotwali, Dhamtari, Civil And Revenue District- Dhamtari Chhattisgarh.
- Hemant Kumar Sahu, S/o Kartik Sahu, Aged About 55 Years R/o Dak Bangla, City Kotwali, Thana- City Kotwali, Dhamtari, Civil And Revenue District- Dhamtari Chhattisgarh.

--- Applicants

Versus

- State of Chhattisgarh through the Police Station Bhanupratappur, Civil and Revenue District- North Bastar Kanker (Chhattisgarh)

--- Respondent

For the applicants	:	Mr. Puneet Ruparel, Advocate
For the Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

31.01.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 189/2016 registered at Police Station Bhanupratappur, Distt. North Bastar Kanker (C.G) for the offence punishable under Sections 6(1)(10) of Krishak Pashu Parirakshan Sansodhit Adhiniyam 2012 and Section 11(1)(a)(d)(f) of Pashu Ke Prati Krurta Ka Nivaran Adhiniyam.
2. As per the prosecution case, on 11.11.2016 certain information was received that the applicants were carrying bulls in Truck bearing Regn. No. C.G. 05-B/2831 to the slaughter house, upon which, the said truck was intercepted and from the truck 15 bulls were recovered.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and at the time of incident, the applicants were not present on the spot and subsequently they have been inculpated. He further submits that the charge sheet in this has been filed; no further investigation is necessary and the applicants are in jail since 06.12.2016, therefore, they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Considering the facts and circumstances of the case especially the fact that the charge sheet has been filed and the applicants are in jail since 06.12.2016, I am inclined to release the applicants on regular bail.
6. Accordingly, the bail 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 each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**