

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8613 of 2016

Vijay Singh, S/o. Bhagwan Singh Chaudhary, aged about – 38 years, R/o. Village-Rukta, Police Station – Sikandara, District – Agra (U.P.), at present R/o. Sector – 04, T.P. Nagar Javed Mistri, above the shop keeper of Katni, Khamtarai, Police Station – Khamtarai, Raipur (Revenue & Civil) – Raipur (C.G.).

---- Applicant

Versus

The State of Chhattisgarh, Through : Police Station – Masturi, District (Revenue & Civil) – Bilaspur (C.G.)

---- Respondent

For Applicant : Mr. Anand Kesharwani, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

11/01/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.371/2016, registered at Police Station- Masturi, District – (Revenue & Civil) – Bilaspur (C.G.) for the offence punishable under Section 4, 6 & 10 of C.G. Krishik Pashu Parirakshan Adhiniyam and Section 3, 11 of Cruelty to Animals Act.
2. Case of the prosecution in brief is that on 28.09.2016 on information received that the applicant taking away the cattle to the slaughter house, the truck wherein cattle were being taken was intercepted and from the truck, 16 cattle were recovered and out of that 3 are already died.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and in fact the truck met with an accident and the applicant is the purchaser and in such accident, 3 Buffalo died

and the applicant was not taking the cattle to the slaughter house. It is further submitted that charge-sheet in this case has been filed and no further investigation is required, therefore, the applicant may be enlarged on bail.

4. 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, the nature of offence and the degree of allegation levelled against the applicant and further considering the fact that charge-sheet in this case has been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. 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 local surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge