HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8596 of 2016

1. Shariff @ Saabir, S/o. Shri Ramzan, age 40 years, By Profession – Truck Driver,
2. Mousim, S/o. Shri Haqimuddin, age – 24 years, By Profession- Conductor.

   Both the above are R/o. Satabadiya, Baas – Kosikala, P.S. - Kosikala, Tahsil – Chata, District – Mathura (Uttar Pradesh).

---- Applicants

Versus

The State of Chhattisgarh, Through : Police Station – Pithora, District – Mahasamund (C.G.)

---- Respondent

For Applicants	:	Mr. J.A. Lohani, Advocate
For Respondent	:	Mr. Vivek Singhal, 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 applicants who have been arrested in connection with Crime No.49/2016, registered at Police Station- Pithora, District – Mahasamund (C.G.) for the offence punishable under Section 4, 6, 10 of C.G. Krishi Pashu Parikshan Adhiniyam, 2004.

2. Case of the prosecution in brief is that on 12.04.2016 on information received that the applicants taking away the cattle to the slaughter house, the truck wherein cattle were being taken was intercepted and from the truck, 32 cattle were recovered. Thereafter, they absconded and surrendered on 03.11.2016.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case and they themselves surrendered before the Court. It is further submitted that charge-sheet in this case

has been filed and no further investigation is required, therefore, the applicants 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 applicants 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 applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- with one local surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Balram