

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2416 of 2017

1. Shameem Ansari S/o Sahabuddin Ansari, Aged About 31 Years R/o Anadndpur, Police Station Sanawal, District- Balrampur, Ramanujgunj, Chhattisgarh. Mo. No. 8319601990
2. Asmuddin, S/o Shri Aalim Ansari, Aged About 30 Years R/o Anadndpur, Police Station Sanawal, District- Balrampur, Ramanujgunj, Chhattisgarh. Mo. No. 8319601990
3. Mohd. Jasheem, S/o Shri Sami Ahmad Aged About 30 Years R/o Anadndpur, Police Station Sanawal, District- Balrampur, Ramanujgunj, Chhattisgarh. Mo. No. 8319601990
4. Aavid, S/o Shri Safique Ansari, Aged About 26 Years R/o Anadndpur, Police Station Sanawal, District- Balrampur, Ramanujgunj, Chhattisgarh. Mo. No. 8319601990

---- Applicants

Versus

- State of Chhattisgarh Through: Station House Officer Police Station Sanawal , District- Balrampur- Ramanujganj, Chhattisgarh.

---- Respondent

For Applicants : Mr. Neeraj Mehta, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20-04-2017

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 31-1-2017 & 3-2-2017 in connection with Crime No. 3 of 2017, registered at Police Station Sanawal, Ramanujganj (CG) for the offence punishable under Sections 295 (K), 429, 34 of the IPC and Sections 4, 5 and 10 of Chhattisgarh Krishak Pashu Parikshan Adhiniyam, 2004.
2. As per prosecution case, in the intervening night of 28/29-1-2017, one Dildar sold his ox to other co-accused Jaffir for sale

consideration of Rs.1000/- and thereafter present applicants along with other co-accused persons slaughtered the ox and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicants would submit that this is second bail petition and on 22-3-2017 earlier first bail application was dismissed as withdrawn with liberty to repeat the same after filing of the charge-sheet. He would further submit that charge-sheet has been filed in this case and the case of the present applicants is similar to that of other co-accused persons who have been granted bail vide order dated 12-4-2017 passed by co-ordinate Bench of this Court in M.Cr.C.No.1856 of 2017, therefore, present applicants may also be released on the ground of parity.
4. On the other hand, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that similarly placed other co-accused have been granted bail by coordinate Bench of this Court.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegation leveled against the applicants and considering the fact that charge-sheet has been filed, the applicants are in jail since 31-1-2017 and 3-2-2017 and further considering the fact that similarly placed other co-accused persons have been granted bail, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them 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. They shall also appear before the trial Court as and when directed.

Certified copy today as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju