

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 165 of 2018

Yashwant Singh Parihar S/o Late Prithviraj Parihar, Aged About 42 Years R/o House No. 142, Kelabadi Shashtri Chowk, Durg District Durg, Chhattisgarh ,
Chhattisgarh **---- Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Simga,
District Baloda Bazar Bhatapara Chhattisgarh **---- Respondent**

For Applicant	:	Shri A.S. Rajput, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, PL

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

09/03/2018

Heard.

1. The applicant has been arrested in connection with Crime No.159 of 2017 registered at Police Station- Simga, District Baloda Bazar, Bhatapara (CG) for the alleged commission of offence under Section 4,6,10 of Chhattisgarh Krishak Pashu Sanrakshan Adhiniyam.
2. Case of the prosecution is that the applicant and other accused were transporting agriculture cattle which is alleged to be transported for being slaughtered.
3. Learned counsel for the applicant would submit that the allegation against the applicant is false, no prima facie case is made out. It is further submitted that the applicant is in jail since 18.11.2017, investigation is complete and charge-sheet has been filed and there is no material to show that the applicant is likely to abscond or tamper with the prosecution witnesses, therefore, he may be granted bail.
4. On the other hand, learned counsel for the State opposes the bail application and submits that in view of seizure of agriculture cattle and arrest of apprehension of the applicant, prima facie case is made out.

5. Taking into consideration the submission of learned counsel for the parties, totality of the circumstance and that the applicant is in jail since 18.11.2017, investigation is complete, charge-sheet has been filed and there is no material to show that the applicant is likely to abscond or tamper with the prosecution witnesses and maximum punishment which could be awarded in the alleged commission of offence, the application is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge