

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 208 of 2018**

Rafel Lakda S/o Shri Naihar Say, Caste- Uraon, aged about 34 years, R/o Village – Ela, Thana and Tahsil Patthalgaon, Civil and Revenue District – Jashpur (CG)

----Applicant**Versus**

The State of Chhattisgarh, through the Station House Officer, Police Station, Patthalgaon, Civil and Revenue District Jashpur (CG)

---- Non-applicant

For Applicant	:	Mr. Sunil Sahu, Advocate.
For Respondent/State	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05/03/18**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.197/2017, registered at Police Station- Patthalgaon, District Jashpur, for the offence punishable under Sections 429/34 of the IPC and Sections 5, 6 and 10 of the Chhattisgarh Krishak Pashu Parirakshan Adhiniyam, 2004.
2. Case of the prosecution, in brief, is that on 04.10.2017 about 20 kgs of beef was found in possession of the present applicant and three other co-accused persons who were transporting the beef in plastic bag in their motor cycle.
3. Learned counsel for the applicant would submit that the applicant has

not committed any offence and he has falsely been implicated in crime in question. He would further submit that no beef was found in possession of the present applicant and on the basis of memorandum of co-accused the present applicant has been arrested. He would also submit that the applicant is in jail since 29.11.2017 and charge-sheet has already been filed, therefore, he may be released on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of the offence; role of the present applicant; statement of the applicant that no beef was found in possession of the present applicant, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his 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, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)

Judge