

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 131 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, Chhattisgarh.

---- Respondent

For the Applicants : Shri Anusuya Rajput,
Advocate.

For the Respondent/State : Shri N. K. Mehta, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13.03.2018

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. 184/2017, registered at Police Station – Simga, District – Baloda Bazar-Bhatapara, (C.G), for the offences under Sections 4, 6, 10 of Chhattisgarh Krishak Pashu Sanrakshan Adhiniyam.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case, only the reason that he is the registered owner of truck Bearing No. C.G 04 JA- 9481, this applicant was not present on the spot when the offence was committed, whereas, the applicant had given his truck on rent to one Sheikh Javed Sheikh Bismillah Qureshi for 11 months, for which the agreement was also executed between both of them.

No case is made out against the present applicant, hence, it is prayed that the applicant may be released on bail.

3. Learned counsel for the State opposes the bail application and the submission made.
4. Heard counsel for both the parties and perused the case diary.
5. On the date of incident truck Bearing No. C.G 04 JA- 9481 was stopped and searched by the police personnel of PS- Simga, District – Baloda Bazar- Bhatapara. 17 numbers of agricultural cattle were found shifted in cruel manner for transportation. On interrogation it was found that the cattle were being transported to some slaughter house, on that basis the case was registered against the driver of the said truck, this applicant being a registered owner of the said truck has been arrayed as accused in this case.
6. Considering the submissions and contents of the case diary and the nature of the allegation against this applicant, I am of the view that it is a fit case where the applicant is entitled for grant of bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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 /-

(Rajendra Chandra Singh Samant)

Judge