

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7541 of 2017

1. Kunj Bihari S/o Himmat Singh Baghel, Aged About 27 Years
R/o Village Aamatola, Post Gopal Ganj, Police Station
Lakhanwada, District Seoni Madhya Pradesh, Madhya
Pradesh
2. Aashif Raza, S/o Safiq Qureshi, Aged About 24 Years R/o
Shastri Nagar, Bhandra Basti, Jaipur Rajasthan, District :
Jaipur, Rajasthan
3. Kasim Qureshi, S/o Ashagar Qureshi, Aged About 22 Years
R/o Raja Talab, Raipur Tahsil And District Raipur
Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station Supela District- Durg, Chhattisgarh.

---- Respondent

For the Applicants : Shri Arvind Dubey, Advocate.

For the Respondent/State : Shri Vijay Bhadur Singh, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29.01.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants, who have been arrested in connection with Crime No. 794/2017, registered at Police Station – Supela, District – Durg, (C.G), for the offences under Sections 4, 6, 10 of Chhattisgarh Krishi Pashu Parirakshan Adhiniyam, Section 11 of Prevention of Cruelty to Animals Act and Section 66/192 of Motor Vehicles Act.
2. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. The applicants were not present on the spot when the seizure of agricultural cattle was made from the concerned truck, no case is made out against the applicants, hence, it is prayed that the applicants 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 -JE – 0672 stopped and searched by the police personal. 17 heads of agricultural cattle (Buffalo) were found shifted in cruel manner. On interrogation it was found that the cattle were being transported to the slaughter house of Nagpur, hence, the case has been registered against the applicants.

6. Considered on the submissions made and contents of the case diary, that the applicants were not present on the spot. Further taking into consideration the nature of the case, which is triable by the JMFC, this Court is of the opinion that this is a fit case, where the applicants are 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 applicants shall be released on bail on each of them 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 their appearance as and when directed.

Sd /-

(Rajendra Chandra Singh Samant)

Judge

Jamal