

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.721 of 2018

1. Md. Intiyaz Ansari, S/o Late Jaan Mohammad, aged about 43 years, R/o Raipura Chowk, Ring Road No.1, P.S. D.D. Nagar, Tehsil & District Raipur (C.G.)
2. Abhimayu Behera, S/o Late Pandeba Behera, aged about 42 years, permanent R/o Khasbahal, Bankapur, Nuapada, Odisha, present R/o Chandrawanshi House, Rohnipuram, D.D. Nagar, P.S. D.D. Nagar, Tehsil & District Raipur (C.G.)

---- Applicants
(In Jail)

Versus

State of Chhattisgarh, through the Police Station Mahasamund

---- Non-applicant

For Applicants:	Mr. Ankur Agrawal, Advocate.
For Non-applicant:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

26/03/2018

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.21/2018, registered at Police Station Mahasamund, for the offence punishable under Sections 4, 6, 10 and 11 of the Chhattisgarh Agricultural Cattle Preservation Act, 2004.
2. Case of the prosecution, in brief, is that the applicants were found transporting five agricultural cattle to the State of Odisha for the purpose of slaughtering and thereby committed the offence.
3. Learned counsel for the applicants submits that the applicants have not committed any offence and they have been falsely implicated, in fact, accused Abhimayu was taking the said animals gifted to him to

handover them to his mother, in the meanwhile, he was intercepted and animals have been seized, they were not being taken for the purpose of slaughtering. The applicants are in jail since 8-1-2018 and charge-sheet has been filed.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, pretrial detention of the applicants and charge-sheet has been filed, I am of the view that it is a fit case to enlarge the applicants on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicants be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge