

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7876 of 2017

1. Akash Hothale S/o Sukhrai, aged about 44 years. R/o Village Pangaon, Tehsil Salekasa, District Gondia (Maharashtra).
2. Shiva Tandekar S/o Rama Tandekar, aged about 19 years, R/o Village Pangaon, Tehsil Salekasa, District Gondia (Maharashtra).
3. Dinu Verma S/o Shyamlal Verma, aged about 20 years.
4. Sudama Markande S/o Shyamratan Markande, aged about 19 years.
5. Nohar Tandon S/o Bahadur Tandon, aged about 23 years.
6. Manoj Kumar S/o Gautam Satnami, aged about 19 years.
7. Vijayram S/o Dhansingh, aged about 23 years.
8. Arun Baghel s/o Manbodh Baghel, aged about 18 years.
9. Gendlal S/o Dhinlal Sirmour, aged about 27 years.
10. Goverdhan S/o Suraj Markande, aged about 55 years.
11. Purshottam S/o Jailal Verma, aged about 45 years.
12. Gautam Markande S/o Budharu Markande, aged about 45 years.

All Resident of Village Chadgadi, Police Station Gatapar, Tahsil Khairagarh, District- Rajnandgaon (C.G.).

---- Applicants

Versus

- State of Chhattisgarh Through the Police Station, Gatapar, District- Rajnandgaon (Chhattisgarh).

---- Respondent

For Applicants	:Mr. C. K. Kesharwani, Advocate.
For Respondent/State	:Ms. K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

01/03/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. 59/2017 registered at Police Station- Gatapar, District – Rajnandgaon (Chhattisgarh) for the offence punishable under Sections 4, 6, 10, 11 of the C.G. Agricultural Cattle Preservation Act, 2004 & Section 11-A of Prevention of Cruelty to Animals Act, 1890.
2. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case, no case is made out against the applicants on the basis of material present in the charge sheet filed against the applicants and they are in jail since 24.11.2017. Applicants are ready to abide by all the conditions and directions, which may be imposed while granting bail to them. Hence, it is prayed that they may be released on bail.
3. Learned State counsel opposes the bail application.
4. The case against the applicants is this, that on 24.11.2017 the police personnel from the police station Gatapar, District -Rajnandgaon stopped the applicants who were driving a hoard of cattle from the jungle area, on enquiring from them, it was found that 41 number of agricultural cattle were being taken to the slaughter house, on this basis, FIR was lodged against the applicants and the arrest have been made.
5. Considered on the material present in the case diary and looking to the nature of the case which is triable by the Judicial Magistrate First Class and that no purpose would be served, if the applicants are kept in detention, till the conclusion of the trial, for this reason, I am of this opinion that applicants are deserve to be granted bail.

6. 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 their furnishing a personal bond for a 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/-

(Rajendra Chandra Singh Samant)
Judge