

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7882 of 2017

1. Ramesh Yadav S/o Bhujbal Yadav Aged About 30 Years
Occupation Wages, R/o Village Godmarra, Police Station
Perpod, District Bemetara, Chhattisgarh., Chhattisgarh
2. Leelaram @ Rajendra Sahu S/o Sukhram Aged About 26
Years Occupation Wages, R/o Village Godmarra, Police
Station Perpod, District Bemetara, Chhattisgarh., District :
Bemetara, Chhattisgarh.

----Applicants

Versus

- The State Of Chhattisgarh Through The Station House Officer,
Police Station Perpod District Bemetara, Chhattisgarh.,
Chhattisgarh.

---- Respondent

For the Applicants : Shri P. P. Sahu, Advocate.

For the Respondent/State : Shri Anil S. Pandey, GA.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26.02.2018

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. 61/2017, registered at Police Station – Perpod, District –
Bemetara, (C.G), for the offences under Sections 409, 429,
467, 471, 120 – B, 34 of the Indian Penal Code and Sections

4, 6, of Krishi Pashu Parirakshan Adhiniyam, and Section 11 of Pashu Krurta Ka Nivaran Adhiniyam.

2. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. Both the applicants were working as labor in Mayuri Goushala. They are in jail since, 22.08.2017 and ready to abide by all the conditions which may be imposed while granting bail to the applicant., hence, it is prayed that the applicants may be released on bail.
3. Learned counsel for the State opposes the bail application and the submits that the applicants received the amounts, which was granted by the Government for taking care of Cows and other management in the said Goushala, in which they have failed, hence, they are not entitled for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. On 18.08.2017 Dr. A. K. Singh - (Deputy Director) of the said Goushala, given a written report in PS – Purpodi, stating that in the period of 25.06.2015 to 18.08.2017, the Management of said Goushala, received amount from the Government for maintaining the expenses for keeping animals at Mayuri Gaushala, situated in Village – Rano. But they have not made the expenditure for that purpose. Due to which, 13 numbers of cattle died due to the starvation. On that basis FIR was lodged. The applicant No. 1 (Ramesh Yadav) is showing Treasurer and applicant No. 2 (Leelaram @ Rajendra Sahu) had been a Joint Secretary in the said Goushala. Hence, this case.
6. Considered on the submissions made and contents of the case diary, taking into consideration the nature of the case,

which is triable by the JMFC, the applicants are in jail since quite some time and the trial is not yet completed, 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