

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1110 of 2018**

- Tobhan Sahu S/o Shri Laxman Sahu Aged About 39 Years, Caste Teli, R/o Village Patparpali, P.S. Komakhan, District Mahasamund, Chhattisgarh,

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Mahasamund, District, Mahasamund, Chhattisgarh

---- Respondent

For Applicant	:	Shri Raghvendra Pradhan, Advocate
For Respondent-State	:	Ms. Madhunisha Singh, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16/04/2018**

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 on 28.12.2017 in connection with Crime No. 642/2017 registered at Police Station Mahasamund, District Mahasamund (CG) for the offence punishable under Sections 4, 6 & 10 of Krishak Pashu Parirakshan Adhiniyam, 2004.
2. As per the prosecution case, on 27.12.2017 it is alleged that the present applicant was driving away 52 cattles and were being taken to the slaughter house, wherein he was apprehended along with the cattle. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is holding the license to conduct the

business. He would further submit that despite that the cattles were forcefully seized by one member of Bajrang Dal and FIR has been lodged. He further submits that the charge-sheet in this case has been filed and the applicant is in jail since 28.12.2017, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the fact that the charge-sheet in this case has been filed and the offences are triable by the JMFC also taking into that the applicant is in jail since 28.12.2017, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri

Judge

Ashu