

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.1482 of 2018**

1. Ghanshyam Pal S/o Madan Pal Aged About 30 Years R/o- Yasodhara Nagar, Jhanda Chowk, Upalwadi, Nagpur, Maharashtra, District : Nagpur, Maharashtra
2. Deepak Patle @ Vikku S/o Tarachand Patle Aged About 26 Years R/o- Village Malhar, Shantipara Chowki Malhar, P.S. Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through- District- Magistrate Durg, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent

For Petitioner	:	Shri Arvind Dubey, Advocate
For Respondent/State	:	Shri S. Majid Ali, Dy.GA

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****20/04/2018**

Heard.

2. The applicants have moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.438/2017 registered at Police Station Purani Bhilai, Durg, District Durg for the offence punishable under Section 4, 6 & 10 of Chhattisgarh Agriculture Cattle Preservation Act and Section 11 of Prevention of Cruelty to Animals Act.

3. Case of the prosecution is that the applicants were caught taking away the agriculture cattle for being slaughtered.

4. Learned counsel for the applicants submitted that the applicants have been falsely implicated in this case and there is no material to show that the transportation of the cattle was for the purpose of slaughtering. It is also submitted that there is no previous case against the applicants for commission of similar offence. Therefore, at this stage, it is prayed that the applicants may be granted bail as the applicants are in jail since 17/12/2017 & 21/12/2017, investigation is complete, charge sheet has been filed and that the applicants

are not likely to abscond or tamper with the prosecution witnesses.

5. On the other hand, learned State counsel opposed the prayer for grant of bail.

6. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the nature of allegation and that the applicants are not charged of having committed similar offence in the past, I am inclined to grant bail to the applicants.

7. Accordingly, the application is allowed. It is ordered that the applicants shall be released on bail on each of them furnishing a personal bond of Rs.25,000/- along with two local surety of the like amount to the satisfaction of the trial Court on the condition that they shall appear before the trial Court regularly on each and every date, unless exempted.

SD/-

(**Manindra Mohan Shrivastava**)

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