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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1801 of 2018

1. Bahadur S/o Ramsai Aged About 48 Years By Caste Uraon, R/o Village Pampapur, P. S. Darima, Tahsil Ambikapur, District Surguja Chhattigarh, District : Surguja (Ambikapur), Chhattisgarh
2. Sunil S/o Ramsai Aged About 48 Years By Caste Uraon, R/o Village Pampapur, P. S. Darima, Tahsil Ambikapur, District Surguja Chhattigarh, District : Surguja (Ambikapur), Chhattisgarh
3. Rajendra S/o Jangsai Aged About 30 Years By Caste Uraon, R/o Village Pampapur, P. S. Darima, Tahsil Ambikapur, District Surguja Chhattigarh, District : Surguja (Ambikapur), Chhattisgarh
4. Kindaru S/o Chhandu Aged About 35 Years By Caste Uraon, R/o Village Pampapur, P. S. Darima, Tahsil Ambikapur, District Surguja Chhattigarh, District : Surguja (Ambikapur), Chhattisgarh
5. Dhantisar S/o Jangsai Aged About 35 Years By Caste Uraon, R/o Village Pampapur, P. S. Darima, Tahsil Ambikapur, District Surguja Chhattigarh, District : Surguja (Ambikapur), Chhattisgarh
6. Tiwari S/o Jangsai Aged About 32 Years By Caste Uraon, R/o Village Pampapur, P. S. Darima, Tahsil Ambikapur, District Surguja Chhattigarh, District : Surguja (Ambikapur), Chhattisgarh
7. Suresh S/o Bahal Aged About 35 Years By Caste Uraon, R/o Village Pampapur, P. S. Darima, Tahsil Ambikapur, District Surguja Chhattigarh, District : Surguja (Ambikapur), Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, P. S. Darima, District Surguja Chhattigarh, District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

MCRC No. 1840 of 2018

Balsai S/o Kendwa Aged About 46 Years R/o- Village Pampapur, P.S. Darima, Tahsil Ambikapur, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station Darima,
District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

For Applicants	:	Smt. Hamida Siddiqui, Advocate
For State	:	Shri Satish Gupta, Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/04/2018

Heard.

1. MCRC No.1801 of 2018 and MCRC No.1840 of 2018 are being decided by this common order as the applicants in these bail applications have been arrested in connection with Crime No.01 of 2018 registered in Police Station- Darima, District -Surguja (C.G.) for the alleged commission of offence under Sections 4 & 10 of the Chhattisgarh Agricultural Cattle Preservation Act, 2004.
2. Case of the prosecution, in brief, is that the applicants had slaughtered a male agricultural cattle.
3. Learned counsel for the applicants submits that there is no evidence that the applicants slaughtered the animal. They are involved on the basis that prior to the date of incident, they were seen with the animal and next date the skin of the animal was found in the field Therefore, in these circumstances, the applicants are entitled to grant of bail.
4. On the other hand, learned counsel for the State opposed the bail application. He submits that a prima facie case is made out against the applicants who were seen with the cattle prior to the date of incident and later on, the cattle eloped and skin was found in an open field.
5. Taking into consideration the submissions made by learned counsel for the parties, particularly taking into consideration that the investigation is complete, charge sheet has been filed, the maximum punishment that can be awarded for alleged commission of offence and that there is no allegation against the applicants of commission of similar offence in the past and that

the applicants are stated to be tribal, I am inclined to allow the applications.

6. The applications are accordingly allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:

- (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge