

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 2063 of 2018

1. Sandeep Lakda S/o Shri Suna Say Aged About 24 Years R/o Village Ela, Thana And Tahsil Patthalgaon, Civil And Revenue Distt. Jashpur Chhattisgarh, District : Jashpur, Chhattisgarh
2. Sunsay Lakda S/o Shri Kunwar Say Aged About 54 Years R/o Village Ela, Thana And Tahsil Patthalgaon, Civil And Revenue Distt. Jashpur Chhattisgarh, District : Jashpur, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Patthalgaon, Civil And Revenue Distt. Jashpur Chhattisgarh, District : Jashpur, Chhattisgarh.

---- Respondent

For the Applicants : Shri Sunil Sahu, Advocate.

For the Respondent/State : Shri Ashok Swarnakar, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

04.05.2018.

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 have been arrested in connection with Crime No.197/2017 registered at Police Station –Patthalgaon, District –Jashpur, (C.G), for the offences under Sections 429/34 of the Indian Penal Code and Sections 4, 6 and 10 of the Chhattisgarh Krishak Pashu Parirakshan Adhiniyam 2004.
2. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since 04.10.2017. After completion of investigation the charge-sheet has

been filed, no case is made out against this applicant. The trial is likely to take some time for its completion, hence, it is prayed that they may be released on bail.

3. Learned counsel for the State opposes the bail application and submits that about 20 kg of beef was seized from the possession of this applicants, hence, they are not entitled for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. Case of the prosecution, in brief, is that on 04.10.2017 about 20 kgs of beef was found in possession of present applicants and other co-accused person who were transporting the beef in a plastic bag on their motorcycle.
6. Considering the submissions made and contents of the case diary and also considering the facts that in this case one co-accessed person has been granted bail by the co-ordinate Bench of this Court and the present applicants are in detention since quite some time. After filing of the charge-sheet no purpose would be served, if the, applicants are kept in detention, till the completion of the trial, hence, 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 applicant shall be released on bail on 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 his appearance as and when directed.

Sd /-

(Rajendra Chandra Singh Samant)

Judge

Jamal