

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2339 of 2018

1. Manjit Tirkey S/o Kunwar Sai Tirkey Aged About 20 Years By Caste- Uraon, R/o- Village- Charkhapara, Police Station- Dharamjaigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
 2. Amrit Tirkey S/o Tiku Ram Tirkey Aged About 18 Years By Caste- Uraon, R/o- Village- Charkhapara, Police Station- Dharamjaigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
 3. Maniram S/o Ganjhu Ram Aged About 60 Years By Caste- Uraon, R/o- Village- Charkhapara, Police Station- Dharamjaigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
- Applicants**

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station- Patthalgaon, District- Jashpur, Chhattisgarh., District : Jashpur,

--- Respondent

For Applicants	:	Shri Ajeet Kumar Yadav, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

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

Order On Board

17/05/2018

Heard.

1. The application is being disposed off by this common order as the applicants in bail application is arrested in connection with Crime No.135 of 2017 registered at Police Station- Pathalgaon, District- Jashpur (C.G.) for the alleged commission of offence under Sections 429, 120-B, 201 IPC and Sections 4,5,6,10 of the C.G. Agricultural Cattle Preservation Act, 2004.
2. Case of the prosecution, in brief, is that from the possession of the applicants, cow beef was recovered.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated. They have not committed any offence. They are not involved in slaughtering of cows, therefore, offence under the Act cannot be said to be made out against them. It is further submitted that the applicants are in jail since

14.7.2017, investigation is complete and charge sheet has been filed and they are not likely to abscond, therefore, they may be released on bail.

4. On the other hand, learned counsel for the State, opposing the bail applications, submits that as cow beef was recovered from the possession of the applicants, prima facie case is made out against them, therefore, they are not entitled for grant of bail.

5. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration the nature of allegation, maximum punishment which could be awarded for alleged commission of offence and that investigation is complete, charge sheet has been filed, the application is allowed.

6. 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.

Sd/-
(Manindra Mohan Shrivastava)
Judge