

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2435 of 2018**

Kripa Ram, S/o. Beekal, Aged About 45 Years, R/o.- Village- Padkibhat,
Police Station And District- Balod, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Its Police Station- Daundi- Lohara Civil and
Revenue District- Balod, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ravi Maheshwari, Advocate
For State/respondent	: Mr. Vijay Bahadur Singh, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****10/05/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.220/2017, registered at Police Station – Daundi - Lohara, District – Balod (C.G.), for the offence punishable under Section 4, 6 & 10 of C.G. Agriculture Cattle Prevention Act, 2004, U/s. 11 of Prevention of Cruelty to Animals Act & U/s. 66/192 of the Motor Vehicle Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 02.12.2017. Charge-sheet has been filed after completion of investigation. No case is made out against the applicant on the basis of the material present in the charge-sheet. Hence it is prayed that the applicant may be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the applicant has criminal antecedents of having being prosecuted

in the similar type of offences on earlier occasion. Hence, he is not entitled for grant of bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, on 02.12.2017 police personnel of police station – Balod stopped and searched the vehicle bearing No.C.G.-24-J-7425, in which the applicant, who was the driver was found to be transporting four agricultural cattle in the direction of Nagpur. It is alleged that agricultural cattle was taken to the slaughter house. Hence, the case was registered.
6. Considered on the submissions made, the contents of the case diary. After due consideration of all the material present in the case diary, it appears that the trial is likely to take sometime for its conclusion, no purpose would be served, if the, applicant is kept in detention till the conclusion of trial, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge