

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7920 of 2017**

Lalli @ Narayan Yadav, S/o. Babaiya Yadav, Aged About 52 Years, R/o. Vivekanand Nagar, Street No. 4, Dhamtari, Police Station - City Kotwali, Dhamtari, District -Dhamtari, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh, Through -Incharge Police Station -Gurur, District -Balod Chhattisgarh.

---- Respondent

For Applicant : Ms. Seema Singh, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**11/01/2018**

1. Heard this matter out of turn on the ground that the father of the applicant is seriously ill and has been admitted in hospital.
2. This is the second 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.394/2017, registered at Police Station – Gurur, District – Balod (C.G.) for the offence punishable under Section 4, 6, & 10 of the Chhattisgarh Agricultural Cattle Preservation Act and Section 11 of the Prevention of Cruelty to Animal Act and Section 3/181, 66/192 and 190/177 of the

M.V. Act (offence under M.V. Act added in final report of the charge-sheet). The first bail application is dismissed as withdrawn with liberty to file appropriate application before the trial Court vide order dated 27.11.2017.

3. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case and he is in jail since 07.11.2017. It is further submitted that co-accused persons have been granted bail by the trial court, no offence is made out against the applicant on the basis of the material in the prosecution case, hence, it is prayed that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. The case against the applicant is this that he was the person who facilitated transport of cattle by the main accused person Pritam Sonwani in his truck to the slaughter house at Nagpur, his name was disclosed in the memorandum of the co-accused, thereafter, he was arrested and detained in jail.
7. Considered on the submissions made and the contents of the case diary. Taking into consideration the material available in this case, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. 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 today.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram