

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3917 of 2018**

- Mahendra Ware S/o Kishore Ware, Aged About 28 Years R/o Indore 127, Jaihind Nagar Indore Police Station Banganga, District- Indore, Madhya Pradesh. Present Add. Ring Road No. 2, Tatibandh Raipur, Tahsil And District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Bhilai-3, District- Durg, Chhattisgarh.

---- Respondent

For the applicant	: Mr.Vikas Shrivastava, Advocate.
For the respondent/State	: Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma
Order on Board

28-6-2018.

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 116 of 2018 registered at Police Station City Bhilai-3, District Durg (CG), for the offence punishable under Sections 4,5,6,10 and 11 of the Agriculture Cattle Preservation Act, and Section 47(A), 47(C), 48, 49, 50 of the Prevention of Cruelty to Animals Act.
2. Case of the prosecution is that on 13.3.2018, the applicant who is Driver Truck bearing registration No. CG 04 HA 4852 was carrying 16 buffaloes in the Truck and taking to Nagpur slaughter house. On the way, the Truck was break down and he left the truck on the road and fled away from the spot.

3. Learned counsel appearing for the applicant submits that the applicant is innocent and he is employee of the Truck owner and he was driving the truck on instructions of the truck owner. He submits that the applicant is in jail since 30.3.2018 and he has not committed any offence, therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the application for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the fact that the applicant is in jail since 30.3.2018 and trial will take some time, I am of the opinion that present is a fit case to enlarge the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules

Sd/

(Ram Prasanna Sharma)
JUDGE