

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4683 of 2018**

1. Rijwan S/o Shekh Idu Kuraishi Aged About 19 Years R/o- Teka Tajnagar Nagpur (Maharastra), District : Nagpur, Maharashtra
2. Rakesh Jaiswal S/o Poonamchand Jaiswal Aged About 29 Years R/o- Badganga, Indore (M.P.), At Present Both R/o- T.P. Nagr, Khamtarai, Raipur, Police Station- Pachpedi, District- (Revenue And Civil)- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through- Pachpedi, District (Revenue And Civil)- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	: Mr. Anand Kesharwani, Advocate
For State/respondent	: Mr. Ashok Swarnkar, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****24/07/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicants for grant of regular bail to them as he is in custody in connection with Crime No.60/2018, registered at Police Station Pachpedi, District(Revenue & Civil)-Bilaspur(C.G.) for the offence punishable under Sections 04, 06 & 10 of C.G. Krishik Pashu Parirakshan Sanshodhit Adhiniyam, 2012

and Section 03(11) Prevention of Cruelty to Animals Act, 1960.

2. It is submitted by the learned counsel for applicants that the applicants have been falsely implicated in this case. They are in jail since 6.6.2018. No case is made out against them. It is submitted that applicant No.1 had made a purchase of the cattle and was taking them to make a sale of those cattles in another market. All the cattles were young, it cannot be said that they were taken into slaughter house. Hence, it is prayed that they may be released on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to prosecution case, on the date of incident the applicants were transporting 15 numbers of cattle(he & she buffalo) in a truck bearing registration No.C.G. 04 JA 3134, which was stopped and thereafter seizure and arrest were made. It is alleged that the applicants were taking the cattles to slaughter house. Hence, this case.
6. Considered on all the material present in the case diary, after due consideration, I am of this view that this is a fit case where applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/-each with one surety in the like sum to the satisfaction of the concerned trial

Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha