

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5880 of 2018

- Vinod Khes S/o Chakkar Khes Aged About 22 Years By Caste Uraon, R/o Village Charkhapara, Police Station Dharamjaigarh, District Raigarh Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicant	:	Shri Ajeet Kumar Yadav, Advocate
For State	:	Shri Anand Dadariya, Dy.A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/09/2018

Heard.

The applicant has been arrested in connection with Crime No.135/2017 registered at police station – Patthalgaon, District – Jashpur (CG) for alleged commission of offence under Section 429, 120-B, 201 of IPC and Section 4, 5, 6, 10 of the C.G. Agricultural Cattle Parirakshan Adhiniyam, 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 applicant submits that the applicant has been falsely implicated. He has not committed any offence. He is not involved in slaughtering of cows, therefore, offence under the Act cannot be said to be made out against him. It is further submitted that the applicant is in jail since 16.6.2018, investigation is complete, charge sheet has been filed and he is not likely to abscond, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State, opposing the bail

application, submits that as cow beef was recovered from the possession of the applicant, *prima facie* case is made out against him, therefore, he is not entitled for grant of bail.

5. Taking into consideration the submission made by learned counsel for the parties, taking into consideration the nature of allegations, 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 applicant shall be released on bail on 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 applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge