

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5374 of 2018**

1. Tiharuram S/o Gahriram, Aged About 55 Years R/o Village Amdani, Police Station And Tehsil Khairagarh District Rajnandgaon Chhattisgarh
2. Shankarlal Chaure S/o Jethuram Chaure, Aged About 62 Years R/o Village Devri, Police Station And Tehsil Khairagarh District Rajnandgaon Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through The Police Station Khairagarh District Rajnandgaon Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Shaleen Singh Baghel, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**21/08/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No. 195/2018 registered at Police Station Khairagarh, District Rajnandgaon (C.G.) for the offence punishable under Sections 4,6,10 of the Chhattisgarh Agricultural Cattle Preservation Act, 2004.
3. Case of the prosecution, in brief is that on 26/06/2018 applicants were taking away 122 cattles for slaughtering at Nagpur.
4. Learned counsel for the applicant submits that applicants are innocent and falsely implicated in the present case and applicants are in

custody since 26/06/2018, therefore, they shall be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application and submits that one case under Section 107/116 of CrPC had been registered against the applicant No. 1 Tiharuram and three similar cases had already been registered against the applicant No. 2 Shankarlal Chaure.
6. Consequently, the bail application filed by the applicant No. 1 Tiharuram under Section 439 of the Cr.P.C., is allowed.
7. Looking to the above mentioned facts and circumstances of the case, it is ordered that if the applicant Tiharuram furnishes two solvent surety for a sum of Rs. 25,000/- each along with a personal bond of Rs.50,000/- to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Looking to the facts and circumstances of the case and looking to the fact that three similar cases had already been registered against the applicant No. 2 Shankarlal Chaure, the bail application of applicant No. 2 Shankarlal Chaure is rejected.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge