

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6035 of 2018**

Nijal Kujur S/o Shri Jayshree Kujur Aged About 35 Years R/o Vijay Nagar Karmohalipara, Thana Kapu, Tahsil Dharamjaygarh Distt. Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Applicant**Versus**

The State Of Chhattisgarh Through The Station House Officer, Police Station Kapu, Civil And Revenue Distt. Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicant : Shri Sumit Shrivastava, Advocate.
For the Respondent/State : Shri Rahul Tamaskar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****17.09.2018**

Heard.

1. This is the first 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. 35 of 2018, registered at Police Station Kapu, District Raigarh, Chhattisgarh for the offence punishable under Sections 4, 5, 6 and 10 of the Chhattisgarh Krishak Pashu Parirakshan Adhiniyam, 2004.

2. Learned counsel for the applicant submits that the applicant is in jail since 23.5.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Similarly placed co-accused – Karlus Lakra has been granted bail by this Court in M.Cr.C. No. 4917 of 2018 dated 1.8.2018. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. The case against the applicant is that, on the basis of one confidential information received by police personnel of P.S. Kapu a raid was made, beef and other meat was seized from the spot. The name of the applicant has appeared in the memorandum statement given by co-accused – Chetu Ram.
6. After considering the material present in the case-diary and the fact that co-accused – Karlus Lakra has been granted bail by this Court, I am of the view that in this case the applicant deserves to be enlarged on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge