

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6955 of 2018

1. Ranjeet Markam, S/o Siyaram Markam, aged about 22 years, Caste-Gond,
 2. Prahalad Netam S/o Mannulal Netam, aged about 40 years, Caste- Gond,
 3. Saroj Netam, S/o Motiram Netam, aged about 27 years, Caste-Gond,
- All R/o- Village- Govindpur, Post Officer & Police Station- Dugli, Tahsil – Nagri, District- Dhamtari (C.G.).

--- Applicants

Versus

State of Chhattisgarh through the Station House Officer, Police Station Dugli, District- Dhamtari (C.G.)

---- Respondent

AND

MCRC No. 7028 of 2018

1. Suraj Markam, S/o Devram Markam, aged about 30 years, Caste- Gond,
2. Maniram Markam, S/o Devnath Markam, aged about 26 years, Caste-Gond,
3. Kishore Kumar Tandan, S/o Mahesh Tandan, aged about 30 years, Caste- Satnami,
4. Baital Lahare, S/o Sadaram Lahare, aged about 22 years, Caste-Satnami,

All are R/o Village- Baniyadih, Post Office & Police Station- Borai, Tahsil- Nagri, District- Dhamtari (C.G.).

---- Applicants

Versus

State of Chhattisgarh through the Station House Officer, Police Station Dugli, District- Dhamtari (C.G.)

---- Respondent

For Applicants :
For Respondent :

Mr. Shivendu Pandaya, Advocate
Mr. Sangarsh Pandey, Dy. Govt.
Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

26/10/2018

1. Since both the cases arise out of same Crime number, therefore, they are being disposed of by this common order.
2. The applicants have preferred first bail applications (in both the cases) under Section 439 of the Cr.P.C for grant of regular bails as they are arrested in connection with Crime No. 20/2018 registered at Police Station- Dugli, District- Dhamtari (C.G.) for the offence punishable under Section 4, 6 & 10 of the Agriculture Cattle Preservation Act, 2004.
3. As per prosecution story on 14/08/2018 at about 6:00 pm, on the basis of information received from the informant, the police party raided on the spot and seized cattle from the possessions of the applicants which were transported by them. The police has registered the offence under Section 4, 6 & 10 of the Agriculture Cattle Preservation Act. The applicants have been arrested on 14/08/2018.
4. Counsel appearing on behalf of the applicants submits that the applicants have been falsely implicated in the present case. They are innocent. He further submits that the applicants are in custody since 14/08/2018, charge-sheet has been filed, offence is triable by the Judicial Magistrate First Class, there is no known criminal antecedent against the present applicants and the trial will likely to take some time, therefore, the applicants may be released on bail
5. Per contra, learned counsel appearing on behalf of the State opposes

the bail applications.

6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, particularly considering that charge-sheet has already been filed and the applicants are in custody since 14/08/2018, without further commenting on merit of the case, I am inclined to release the applicants on bail.
8. Accordingly, the bail applications are allowed.
9. It is directed that the applicants shall be released on bail on each of them executing personal bond for a sum of Rs. 20,000/- with one local surety each to the satisfaction of the trial Court. Thereafter, they will appear before the Trial Court on each and every date as is given to them by the said Court in this regard.

Sd/-
Judge
Arvind Singh Chandel