

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6878 of 2017

- Santosh Sahu S/o Premlal Sahu, Aged About 40 Years R/o Village Chichka, Police Station Gatapur, District Rajnandgaon Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gatapur, (Wrongly Mentioned As P. S. Khairagarh In The Order Sheet), District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Abhishek Sharma, Advocate.
For Respondent	:	Mr. Vijay Bahadur Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

11/01/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.50/2017, registered at Police Station-Gatapur District– Rajnandgaon(C.G.) for the offence punishable under Sections 4, 6, 10, 11 of Chhattisgarh Pashu Parirakshan Nivaran Adhiniyam, 2004 and Section 11A of Animal Cruelty Act, 1890.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 12.10.2017. Applicant had been taking 52 numbers of cattle for the purpose of grazing. It has been falsely alleged that he was taking all the cattles to slaughter house at Nagpur. After completion of investigation, charge-sheet has been filed in this case. Applicant is

local resident of District-Rajnandgaon and he is ready to abide by all the conditions and directions, which may be imposed while granting bail to him. Hence, it is prayed that applicant be enlarged on bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. On the date of incident, a force constituted of women of village-Band Navagaon obstructed 52 cattle which were allegedly being taken by the applicant from the jungles of the area to the slaughter house in Maharashtra. On the basis of aforesaid allegation, the FIR has been registered against the applicant.
6. Considered the submissions and the contents of the case diary. Taking into consideration all the material on record, I am of this view that no purpose would be served if the applicant is kept in detention till the conclusion of trial, hence, it is a fit case for grant of bail. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-
(Rajendra Chandra Singh Samant)
Judge