

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7550 of 2017

1. Kishan Nag And Ors. S/o Dhaneshwar Aged About 22 Years R/o Sarona, B. S. P. Bhawan, Block No. 8, Raipur, Tahsil And District Raipur, Chhattisgarh., Chhattisgarh
2. Tikaram Sanodiya, S/o Ghanshyam Sanodiya, Aged About 30 Years Resident Of Hirvinagar, Pardi, Bhalebadi Road, Nagpur, Near Railway Station Nagpur, Maharashtra., District : Nagpur, Maharashtra
3. Islam Qureshi, S/o Shakur Qureshi, Aged About 40 Years R/o Raja Talab, Raipur, Tahsil And District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Supela, District Durg, Chhattisgarh., Chhattisgarh

---- Respondent

For Applicants	:	Mr. Arvind Dubey, Advocate.
For Respondent	:	Mrs. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

17/01/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.794/2017, registered at Police Station-Supela District-Durg, for the offence punishable under Sections 4, 6, 10 of Chhattisgarh Krishi Pashu Parirakshan Adhiniyam, Section 11 of Prevention of Cruelty to Animals Act and Section 66/192 of Motor Vehicles Act.
2. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. Applicant is in

jail since 8.9.2017. After completion of investigation, charge-sheet has been filed. They are ready to abide by all the conditions and directions, which may be imposed while granting bail to them. Hence, it is prayed that applicants be enlarged on bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that there is sufficient evidence on record to prosecute the applicants for the offences registered against them. Hence, they are not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. As the case is this that on the date of incident, on receiving secret information, Truck No.CG-04-JE-0672 was stopped and searched by police personnel of PS-Supela. 17 heads of cattle (buffalo) were loaded in the truck in a very cruel manner and on interrogation it was found that the cattle was taken to the slaughter house in Nagpur. On that information received, the offence has been registered against the applicants.
6. Considered the submissions made, contents of the case diary. The case against them and offence is triable by Judicial Magistrate. The disposal of trial is likely to take some time and no purpose would be served if the applicants are kept in detention till the conclusion of trial, hence, it is a fit case for grant of bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants No.1 and 3 shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- each with one surety and appellant No.2 is resident of another State shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of

the concerned trial Court, for their appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha