

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2351 of 2019

1. Purandas Manikpuri S/o Nanhudas Aged About 55 Years Occupation - Labour, R/o Village Dei, Police Station And Tahsil - Bichhiya, District Mandala (M.P.).
2. Gopal Pradhan S/o Sonulal Pradhan Aged About 20 Years Occupation - Labour, R/o Village - Rahmatpur, Police Station - Anjaniya, District - Mandala (M.P.).
3. Dipak Manikpuri S/o Sukhdas, Aged About 25 Years Caste - Panika, R/o Village - Dei, Police Station And Tahsil - Bichhiya District Mandala (M.P.).
4. Narayan Paraste S/o Chammu Paraste, Aged About 38 Years Occupation - Labour, R/o Village - Ghutas, Police Station And Tahsil - Bichhiya, District - Mandala Madhya Pradesh.
5. Sewakram Warkade S/o Mattulal Warkade, Aged About 24 Years Occupation - Labour, R/o Village - Chauranga Mohad, Police Station And Tahsil - Bichhiya, District Mandala (M.P.).
6. Krishna @ Golu S/o Narmada Pradhan, Aged About 34 Years Occupation - Labour, R/o Village - Hirde Nagar, Police Station - Hirde Nagar, District Mandala (M.P.).

---- Applicants

Versus

- State Of Chhattisgarh Through - Station House Officer, Police Station - Pipariya, District Kabirdham, Chhattisgarh.

---- Respondent

For Applicants : Shri Dharmesh Shrivastava, Advocate.

For Respondent/State : Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

03/05/2019

1. The Applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in

connection with crime No. 57/2019, registered at Police Station Pipariya, District – Kabirdham, Chhattisgarh, for the offence punishable under Sections 4, 6, 10 of C.G. Agriculture Cattle Preservation Act, 2004.

2. As per the prosecution story, present Applicants were taking 32 cows, 31 calves (Bachhiya), 5 calves (Bachhada) to the slaughter house without giving them sufficient meals. On the basis of the information given by the complainant, police personnel stopped the present Applicants with the cattle. On being enquired, it was found that the cattle were taken from the nearby villages to Madhya Pradesh. On the basis of the said, offence has been registered against the present Applicants. They were taken into custody on 07.03.2019.
3. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. He further submits that Applicants were taking the cattle from other villages to their own place as the cattle were given to them for rearing and some cattle were given to them as gifts. He further submits that matter is triable by JMFC. Applicants have no criminal antecedents, they are in custody since 07.03.2019 and trial is likely to take some time. Therefore, they may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that Applicants have no criminal antecedents, they are in custody since 07.03.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.

8. It is directed that the Applicants shall be released on bail on each of them furnishing a personal bond for a sum of Rs. 1,00,000/- with two solvent sureties each of Rs. 50,000/- for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge

Prakash