

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.2977 of 2019**

Arman Khan, S/o Pappu Khan, aged about 26 years, R/o Nijami Chowk,
Farid Nagar, Supela, Police Station Supela, Tahsil & Dist. Durg (CG)

---Applicant

Versus

State of Chhattisgarh, Through Police Station Amanaka, Distt.Raipur
(CG)

---Non-Applicant

For Applicant	:	Mr.Arvind Dubey, Advocate
For Non-Applicant	:	Mr.Ghanshyam Patel, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

13/05/2019

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.185/2018, registered at Police Station-Amanaka, District-Raipur (CG), for the offence punishable under Sections 47 A, B, C, 45-49, A, B, 50, 54 (1, 2, 3) of Animal Transportation Act, Section 11 (D, E, F) of Cruelty to Animal Act, 1960 and Section 4, 6, 7, 9, 10 and 11 of the Chhattisgarh Krishak Pashu Adhiniyam, 2004.

2. Case of the prosecution, in brief, is that the applicant and other co-accused persons were found transporting 32 calves to other State for the purpose of slaughtering.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is in jail since 27.9.2018, charge-sheet has already been filed and no

useful purpose will be served by detaining him in jail. He would also submit that the applicant is only driver of the vehicle, main accused is Babu Khan and owner of the vehicle i.e. Rajkumar Dahariya has been released on bail by this Court vide order dated 30.10.2018 in M.Cr.C.No.7857 of 2018, therefore, he is entitled to be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant, material collected against the applicant, his pre-trial detention and considering the fact that accused Rajkumar Dahariya has been granted bail by this Court vide order dated 30.10.2018 in M.Cr.C.No.7857 of 2018 and main accused is Babu Khan, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his 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.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-