

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3262 of 2019**

- Imran Khan S/o Aabid Khan Aged About 22 Years R/o Plat No. 242, Near Kabristan, Hamid Nagar Police Station Yashodhara Nagar Nagpur Maharashtra

---- Applicant**Versus**

- State Of Chhattisgarh Through District Magistrate District Durg Chhattisgarh

---- Respondent

For Applicant : Shri Arvind Kumar Dubey, Advocate

For Respondent/State : Shri H.S. Ahluwalia, Dy. AG

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****20/05/2019**

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 on 08.03.2019 in connection with Crime No.267/2018 registered at Police Station Pulgaon, District Durg (CG) for the offence punishable under Sections 279 IPC and Sections 4, 6, 10 of the Agriculture Cattle Preservation Act, 2004 and Section 11-DE Animal Cruelty Act and Sections 66/192, 3/181, 5/180/ 146/196 of the Motor Vehicle Act.
2. As per the prosecution case, when a truck bearing registration number MH30/AB-4780 was intercepted and the raid was being conducted the applicant was found in possession of the 17 cattles which were being transported for the

purpose of slaughtering to the other State. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he has not committed any crime. He would further submit that the applicant is in jail since 08.03.2019 and he is the driver of the other State and therefore, has been falsely implicated and the charge-sheet in this case has been filed, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Considering the facts of this case and the gravity of the offence as also the role played by the applicant. Further considering that the charge-sheet in this case has been filed and the pretrial detention of the applicant as he is in jail since 08.03.2019, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Sanjay K. Agrawal
Vacation Judge

Ashu