

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 808 of 2019

- Mohd. Kalim S/o Anchhu, Aged About 32 Years, R/o Village Peta, P.S. And Tahsil Bagicha, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, P.S. Batauli, District- Surguja, Ambikapur, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Non-applicant

For Applicant – Shri Sanjeev Verma, Advocate.

For Non-applicant/State – Shri Adil Minhaj, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

17-06-2019

1. Apprehending arrest in connection with Crime No.31/2019, registered at Police Station – Batauli, District- Surguja, Ambikapur, Chhattisgarh for offence punishable under Section 4, 6 (10) of Chhattisgarh Agricultural Cattle Preservation Act, 2004, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant is a cattle businessman and he had made sale of 7 numbers of bullocks to co-accused persons Kamleshwar and Hariram from whom the bullocks have been recovered and seized who were arrested on the spot. They have falsely named this applicant as owner of the said bullocks. This applicant was not present on the spot. Therefore, it is prayed that this applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. On the date of incident members of Bajrang Dal and Shiv Sena stopped the herd of cattle which was held by Kamlesh and Hariram and handed them

over to the police, on the basis of which offence was registered. The name of this applicant has appeared in the statement given by the co-accused persons.

6. After considering the entire material present in the case diary, I feel inclined to allow this application.

7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge