

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4515 of 2019**

1. Vishal Kureti S/o Rajendra Kureti Aged About 23 Years R/o Village Aturgaon Tahsil Kanker, District- North Bastar, Chhattisgarh.
2. Ramlal Kawade S/o Manohar Kawade Aged About 72 Years R/o Village Aturgaon Tahsil Kanker, District- North Bastar, Chhattisgarh.
3. Heeralal Potai S/o Duwai Potai Aged About 55 Years R/o Village Aturgaon Tahsil Kanker, District- North Bastar, Chhattisgarh.
4. Jeevan Kunjam S/o Sahdev Kunjam Aged About 22 Years R/o Village Kulgaon Tahsil Kanker District- North Bastar Kanker, Chhattisgarh.
5. Faguram Kureti S/o Ganpat Kureti Aged About 60 Years R/o Village Kulgaon Tahsil Kanker District- North Bastar Kanker, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through The Police Station Kanker, District- North Bastar, Kanker, Chhattisgarh.

---- Respondent

For Applicant : Shri P.K. Tulsyan, Advocate.
For Respondent/State : Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**29/08/2019**

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. 216/2019, registered at Police Station – Kanker, District – Kanker, Chhattisgarh, for the offence punishable under Sections 4,5,10 of C.G. Krishak Pashu Parirakshan Adhiniyam, 2004.
2. As per the prosecution story, on 01.07.2019, on the basis of information received from one Vishal Gupta, police personnel reached the spot alongwith witnesses where the Applicants had killed one Ox ('bail') with the help of axe, hammer and 'hansiya'. Police seized one

head, two legs of Ox and other weapons from the possession of the present Applicants. On the basis of the said, offence has been registered and Applicants have been arrested on 01.07.2019.

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 offence is triable by J.M.F.C. and Applicants have no previous antecedents. They are in custody since 01.07.2019, charge-sheet has been filed and trial is likely to take some time. Therefore, they should 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 with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that Applicants have no previous antecedents, they are in custody since 01.07.2019 and trial is likely to take some time, without further commenting on other 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 executing a personal bond for a sum of Rs. 20,000/- with one solvent surety 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