

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5119 of 2019**

1. Sunil Jaiswal S/o Ramlal Jaiswal, aged about 35 years R/o Village Shiv Prasad Nagar, Police Station Surajpur, Distt. Surajpur (C.G.).
2. Ashfak Khan S/oajibuddin, aged about 30 years R/o Village Devsar, Police Station Jiyawan, Tahsil Singrouli, District Singrouli (M.P.)

--- Applicants**Versus**

State of Chhattisgarh Through Station House Officer, Police of Police Station Odgi, Distt. Surajpur (C.G.)

---- Respondent

For Applicants : Mr. Anil Gulati, Advocate
 For Respondent : Mr. Shubham Verma, PL

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****20/08/2019**

1. The Applicants have preferred this Second Bail application under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 40/2019 registered at Police Station Odgi, District Surajpur (C.G.) for the offence punishable 4, 6 & 10 of the Chhattisgarh Krishak Pashu Parirakshan Adhiniyam and Section 11 (घ) of the Prevention of Cruelty to Animal Act.
2. First bail application of the Applicant has been dismissed as withdrawn with liberty to file afresh after filing of the charge-sheet vide order dated 19/06/2019 passed in MCRC No. 3784/2019.
3. As per prosecution story, on 18/05/2019 the police official received an information from the informant that buffalo were transported in a Mini turck

from village Bhaiyathan to Chandni. On the basis of said information, the police official stopped two Mini trucks which were being driven by the Applicant. It is alleged that total 38 buffalo were recovered from those Mini trucks and out of them 9 buffalo were found dead. Offence has been registered and the Applicant has been arrested on 19/05/2019.

4. Learned counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated. The Applicants were only the driver of the said trucks. They have no criminal antecedent, they are in custody since 19/05/2019, charge-sheet has been filed and trial will take time, therefore, they may be released on bail.
5. Counsel appearing on behalf of the State also opposes the bail application.
6. I have heard counsel for both the parties.
7. Considering the entire facts and circumstances of the case, particularly considering that the Applicants are in custody since 19/05/2019, charge-sheet has been filed and trial will take time, without further commenting on merit of the case, I am inclined to release the Applicants on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the Applicants shall be released on bail on each of them executing a personal bond of Rs. 20,000/- with one local surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge