

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6040 of 2019**

1. Raju Pal, S/o Madan Pal, Aged About 45 Years, R/o Yashoda Nagar, Near Shitla Mandir, Ward No. 4, P.S. Panjwati Nagpur, (Maharashtra).
2. Sangeet Madhukar, S/o Dhannu Lal Madhukar, Aged About 23 Years, R/o Ward No.5, Village Patharra, P.S. Bhilai-3, District- Durg, (C.G.).
3. Ashik Joshi S/o Manharan Joshi Aged About 18 Years R/o Ward No.5, Village Patharra, P.S. Bhilai-3, District- Durg, (C.G.).

---- Applicants**Versus**

- State Of Chhattisgarh, Through: The Station House Officer, Police Chowki Birejhar, Police Station Dhamtari, District- Dhamtari, (C.G.).

---- Respondent

For Applicants	: Mr. Jitendra Gupta, Adv.
For Respondent/State	: Ms. Akshara Amit, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15.11.2019**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 357/2019 registered at Police Station Police Chowki Birejhar, Police Station Dhamtari, District- Dhamtari, (C.G.) for the offence punishable under Sections 4, 6, 10 of Chhattisgarh Krishak Pashu Parikshan Krurta Adhiniyam, 2004 and Sections 11 D, E, F of Pashu Krishak Adhiniyam 2003 and Sections 4, 7, (A.B.C.), 48, 49, (A.B.C.), 50, 52, 54 (1, 2, 3) of Pashu Parikshan Adhiniyam 1978.
2. The prosecution story, in brief is that, on the date of incident, they were caught raid handed, while they were transported 33 cows and calf in the Truck No. CG-04, DC-4566 for Nagpur Slaughter House and since in the process of transportation of cattle, no documents

were filed by the applicants as alleged regarding the purchase and sale of cattle, therefore the applicants were caught and police has registered the offence.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the present applicants have been arrested only on the basis of suspicion. They were not present on the spot at the time of incident. The applicants are in jail since 28.07.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the offence is triable by the Judicial Magistrate First Class. The applicants are in jail since 28.07.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**