

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6625 of 2019**

- Umesh Dewde S/o Chaitram Dewde, aged about 31 year, R/o Ward No.06, Gaurinagar, (wrongly mentioned as Sawner (Maharashtra), Police Station - Vijay Nagar, District Indore (M.P.) at present - Transport Nagar, Khamtarai, District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Sarsiwani, District (Revenue & Civil) - Balodabazar - Bhatapara (C.G.)

---- Respondent

For Applicant	:	Shri Achyut Tiwari, Adv.
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****03/12/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.139/2019, registered at Police Station - Hirri, District (Revenue & Civil) - Balodabazar-Bhatapara (C.G.) for the offence punishable under Sections 04, 06, & 10 of Chhattisgarh Krishik Pashu Parikshan Adhiniyam, 2004.
2. The prosecution story, in brief, is that on 11.09.2019 at 2.00 am, the police, acting on a tip-off, followed the truck bearing registration No.CG-04-JB-0974 in which 17 buffaloes were found which were being smuggled into slaughterhouse. Based on this, offence has been registered. The present applicant has been taken into custody on 11.09.2019.
3. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He further submits that the applicant had purchased the buffaloes from the market and being transported to another market for the business purpose. He also submits that the applicant is in custody since 11.09.2019, the offence is triable by Magistrate and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, and further considering the fact that the applicant is in custody since 11.09.2019, the offence is triable by Magistrate and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge