

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6483 of 2019

- Suleman Tirkey S/o Ramo Aged About 71 Years R/o Ward No. 04, Sutri, Jashpur, Rengale, District Jashpur Chhattisgarh,

----Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bagicha, District Jashpur Chhattisgarh

---- Respondent

MCRC No. 6608 of 2019

1. Najariyus Toppo & Ors. S/o Paitrus Toppo Aged About 45 Years
2. Amit Tirkey S/o Pankharasiyus Tirkey Aged About 30 Years
3. Sachin Xalxo S/o Domnik Xalxo Aged About 20 Years
4. Gyanchandra Toppo S/o Siril Toppo Aged About 23 Years
5. Jaydeep Minj S/o Raimjiyus Minj Aged About 32 Years
6. Alok Bek S/o Alfonse Bek Aged About 32 Years
7. Milyanus Tirkey S/o Laxman Tirkey Aged About 45 Years
8. PingalTirkey S/o Bonifas Aged About 27 Years
9. Vikas Toppo S/o Fuldev Toppo Aged About 34 Years
10. Matiyas Ekka S/o Kamil Ekka Aged About 47 Years

All are R/o Village- Sutri, Caste- Uraon, Police Station And Tahsil- Bagicha, District- Jashpur Chhattisgarh

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Bagicha, District Jashpur Chhattisgarh

---- Respondent

For Applicants	: Shri R.V.Rajwade and Shri J.K.Saxena, respective counsels for the applicants.
For Respondent/State	: Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

29/11/2019

As both these M.Cr.C's arise out of the same crime number they are being disposed of by this common order.

The applicants have filed these applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 124/2019 registered at police station Bagicha, district Jashpur (CG) for the offence punishable under Sections 295(A), 429,34 IPC and Sections 4, 5 and 10 of the CG Agricultural Cattle Preservation Act.

As per case of the prosecution, it is alleged that on 01.01.2019, at night, applicants and the other co-accused slaughtered the cattle near Dodki river and prepared beef and thereby intended to outrage the religious feeling.

Counsels for the applicants submits that the applicants are innocent and have been falsely implicated. It is further submitted that the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion. It is also submitted that the applicants are in jail since 04.09.19.

On the other hand, learned counsel for the State opposes the bail applications.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their applications filed under Section 439 of the Code of Criminal Procedure are allowed.

It is directed that in the event of the applicants' furnishing a personal bond of Rs. 50,000/- each with one surety in the like sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge