

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4522 of 2020**

- Ayub Ansari S/o Sakur Ansari aged about 47 years, R/o Girjapur, Police Station Odgi, District-Surajpur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Station House Officer, Police Station-Surajpur, District-Surajpur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Anil Gulati, Adv.
For Respondent/State	:	Ms. Sunita Jain, G. A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26/08/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 464/2019 registered at Police Station Surajpur, District-Surajpur (C.G.) for the offence punishable under Sections 4, 6, 10 of Chhattisgarh Krishak Pashu Parirakshan Adhiniyam and 11(1-**k**) of Prevention of Cruelty to Animal Act.
2. The prosecution story, in brief is that, Police of Police Station, Surajpur registered the offence and arrested the driver of the truck Deepak Kumar Basore and since no document was produced by Deepak Kumar Basore and as per the case the present applicant is absconded from the date of incident and he has been arrested on 25.06.2020 and the applicant reveals that on the date of incident i.e. 09.12.2019 he along with Deepak Basore was transporting cows and buffalos.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the offence is triable by Judicial Magistrate First class and the applicant is in jail since

25.06.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature; therefore, no case is made out for grant of bail.
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, detention period of applicant and further considering that the offence is triable by Judicial Magistrate First Class. The applicant is in jail since 25.06.2020, 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 applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

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