

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5878 of 2020**

- Suresh Kumar Sahu S/o Mansharam Aged About 28 Years
R/o Village Ojhagahan, Tehsil And P.S. Gurur, District Balod
Chhattisgarh.

----Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, P.S.
Gunderdehi, District Balod Chhattisgarh.

---- Respondent

MCRC No. 5880 of 2020

- Digeshwar S/o Chunnilal Aged About 28 Years R/o Village
Ojhagahan, Tehsil And Police Station Gurur, District Balod,
Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicants	:-	Mr. B.P. Singh, Advocate
For Respondent-State	:-	Ms. Fouzia Mirza, Addl.A.G

Proceedings through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra**
Order On Board

20/10/2020

1. Since these two bail applications are arising out of the same crime number, they are being considered and decided by this common order.
2. The applicants have preferred these applications under Section 439 of the Cr.P.C. for grant of regular bail as they are arrested in connection with crime No.326/2020 registered in Police Station Gunderdehi, District Balod, C.G. for the offence punishable under Sections 4, 6 and 10 of the Chhattisgarh Krishak Pashu Parirakshan Adhiniyam, 2004 and Section 11(1)d of the Prevention of Cruelty to Animals Act, 1960.
3. Co-accused Md. Sadik Sheikh and Imran Shah were found involved in illicit transport of 38 cattle which includes 27 cows, four he calves and five she calves, the remaining two having died due to suffocation, in a truck bearing MP 22 H-1742 when it was intercepted near Chainganj railway crossing near Police Station Gunderdehi. As against the present applicant, the allegation is that they acted as middle men (*Kochiya*) for purchasing the cattle from the villagers and thereafter handing over its possession to accused Md. Sadik Sheikh and Imran Shah. These two applicants were not present on the spot when the vehicle was intercepted.

4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering that these two applicants were not present at the place of occurrence, at the time of seizure of cattle; they are in jail since 23.07.2020 i.e., for almost three months and co-accused - Ved Kumar has already been allowed regular bail by this Court in MCRC No.5879 of 2020, I am inclined to release the applicants on bail.
6. Accordingly, both the bail applications filed under Section 439 of the Cr.P.C. are allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of ₹50,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

SD/-
(**Prashant Kumar Mishra**)
Judge

Ayushi