

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6009 of 2020

1. Ashok Shriwas S/o Panchram Shriwas Aged About 22 Years R/o Takhatpur, Police Station And Tahsil Takhatpur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Chetan Pali S/o Bhagwat Pali Aged About 23 Years R/o Takhatpur, Police Station And Tahsil Takhatpur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Harun Masih S/o Raja Masih Aged About 45 Years R/o Village Bhathri, Police Station Jarhagaon, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
4. Siyaram Kenwat S/o Vikram Kenwat Aged About 28 Years R/o Village Bhathri, Police Station Jarhagaon, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Pandatarai, District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Respondent

For Applicants	:	Ms. Sofia Khan, Advocate
For State	:	Mr. Dinesh Tiwari, Dy. Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/10/2020

Heard.

1. The applicants are arrested in connection with Crime No.151/2020 registered in Police Station – Pandatarai, District- Kabirdham (CG) for alleged commission of offence under Sections 4, 6, 10 & 11 of Krishak Pashu Parirakshan Adhiniyam.
2. Case of the prosecution, in brief, is that the applicants were found

transporting twenty number of cattle which were being taken for being slaughtered.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and only on they being found in possession of certain cattle, a presumption has been drawn that the animals were being taken for slaughter. It is next submitted that investigation is complete, charge sheet has been filed and the applicants are in jail since 11.8.2020 and as the offence is not heinous one nor punishable for life, they may be granted bail.
4. On the other hand, learned counsel for the State opposed the bail application by submitting that there is prima facie material of involvement because the cattle were seized from the possession of the vehicle which was found along with the applicants.
5. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration the nature of allegation, considering that the investigation is complete, charge sheet has been filed and further that the applicants are in jail since 11.8.2020 and maximum punishment which could be imposed for the alleged commission of offence, I am inclined to allow the application.
6. The application is accordingly allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:-
 - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Manindra Mohan Shrivastava)
Judge