

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6256 of 2020

1. Lukdas, S/o Panchram Dhritlahare, Aged About 29 Years
2. Rajkumar, S/o Laxman Dhritlahare, Aged About 22 Years
3. Suraj Jangde, S/o Tiritram Jangde, Aged About 37 Years

All R/o Village Bera, P.S. Bemetara, District Bemetara,
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, P.S. Navagarh, District Bemetara, Chhattisgarh

---- Respondent

For Applicants
For Respondent

Shri Kanwaljeet Singh, Advocate
Shri Dinesh Tiwari, Dy. GA

Hon'ble Justice Shri Gautam Chourdiya

Order On Board

04/12/2020

1. The applicants have preferred this first bail application under Section 439 of CrPC, as they have been arrested in connection with Crime No.229/2020, registered at Police Station Navagarh, District Bemetara (C.G.) for the offence punishable under Sections 4 & 6 of the Chhattisgarh Agricultural Cattle Preservation Act, 2004, Sections 46, 47A, 47C, 49A, 50, 54 (1,2&3) & 55A of the Chhattisgarh Pashu Privahan Niyam, 1978 and Section 11 of the Prevention of Cruelty to Animals Act, 1960.
2. The case of the prosecution in brief is that on 23.08.2020 in mid

night, the Police of Police Station Navagarh received an information that the cattle are being transported to slaughter house at Nagpur. During the investigation, 20 numbers of cattle were being carrying in truck bearing registration No.JK-08-F-0549. On interrogation, the driver and the helper admitted the said fact and thereafter the offences were registered against the applicants.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the present case. The cattle were purchased by the applicants and were not being transported to the slaughter house. The copy of purchase receipt has been annexed with the record. The applicants are doing the business of dairy and the cattle belong to them. The applicants are in jail since 23.08.2020 and conclusion of trial may take some time, therefore, the applicants may kindly be enlarged on bail.
4. Learned State counsel opposes the bail application.
5. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case and the entire evidence available on record, particularly the fact that the cattle were purchased by the applicants and they are doing the business of dairy and the cattle belong to them and in this regard, the copy of purchase receipt has also been annexed; there is no criminal antecedents of the applicants; the applicants are in jail since 23.08.2020 and conclusion of trial may take some time, this Court is inclined to release the applicants on bail.
6. Accordingly, the bail application is allowed and it is directed that

in the event of each of the applicant's executing a personal bond for a sum of Rs.2 Lakhs with two sureties of Rs.1 Lakh each to the satisfaction of the Trial Court, the applicants be released on bail. They are directed to appear before the Trial Court on each and every date given to them by the said Court till disposal of the trial.

7. It is made clear that the applicants shall not involve themselves in any offence of similar nature in future or else this order granting bail to the applicants shall automatically stand cancelled without further reference to the Bench.

Sd/-
Gautam Chourdiya
Judge

Nirala