

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7588 of 2020**

1. Nabi Aalam S/o Shri Muarik Aged About 21 Years R/o Village Garail, Police Station Madadhera, District- Muradabad (Uttar Pradesh)
2. Abbas Ansari S/o Shri Rahmuddin Ansari Aged About 42 Years R/o Village Teesatetuka Post Peshka, Police Station Meral, District Garhwa, Jharkhand
3. Asfaq Julha S/o Shri Wakeel Ahmad Julha Aged About 38 Years R/o Village Khala, Post- Karji, Police Station Darima, District : Surguja, Chhattisgarh

**---- Applicants****Versus**

- The State Of Chhattisgarh Through The Station House Officer Police Station Bango, District : Korba, Chhattisgarh

**---- Respondents**


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| For Applicants | : | Mr. Neeraj Kumar Mehta, Advocate. |
| For State      | : | Mr. Lalit Jangde, Dy. G.A.        |

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**Hon'ble Shri Justice Manindra Mohan Shrivastava****Order On Board****11/12/2020**

Heard.

1. The applicants have moved this application for grant of bail as they are arrested in connection with Crime No.128/2020 registered at Police Station- Bango, District- Korba, C.G. for the alleged commission of offence under Section 11 of the Animal Cruelty Protection Act, 1960 and Section 10 of the Chhattisgarh Agricultural Cattle Preservation Act, 2004.
2. Prosecution case is that the applicants were found in unauthorised illegal possession of about 23 number of cattle, which according to the prosecution, there being transported for being slaughtered at another place.
3. Learned counsel for the applicants would submit that the applicants have not committed any offence, the transportation of cattle was under valid authority of law as the cattle were purchased by the applicants from the market, receipt of which has been placed on record. It is further submitted that investigation is complete, charge sheet has been filed and the applicants are in jail since

21.09.2020, therefore, at this stage, the applicants may be granted bail.

4. On the other hand, learned State Counsel opposes and submits that the applicants were found in illegal possession of 23 number of cattle and at that time, when the vehicle was stopped, upon being inquired, the applicants failed to produce any receipt which they have annexed with the present bail application, which show that these documents have been subsequently fabricated.
5. Taking into consideration the submissions of learned counsel for the parties, nature of allegation, maximum sentence which could be awarded for the alleged commission of offence and further taking into consideration that investigation is complete, charge sheet has been filed and that the applicants are in jail since 21.09.2020, I am inclined to grant bail to the applicants.
6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on 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.

Certified copy as per rules.

**Sd/-**  
**(Manindra Mohan Shrivastava)**  
**Judge**