

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7864 of 2019**

- Avtar Singh S/o Mangal Singh Aged About 35 Years R/o Village Ward No. 17, Sende Nagar, Nagpur, Maharashtra.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station Masturi, District - Bilaspur, Chhattisgarh.

---- Respondent**MCRC No. 7983 of 2019**

- Saheb Lal Kurrey S/o Dharmu Kurrey Aged About 36 Years R/o Village Pendri, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer Masturi, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Abhishek Sharma, Adv. in MCRC No. 7864/2019. Ms. Deepali Dubey, Adv. in MCRC No. 7983/2019.
For Respondent/State	:	Mr. Anurag Verma, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22/01/2020**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 469/2019 registered at Police Station Masturi, District-Bilaspur (C.G.) against applicants for the offence punishable under Sections 4, 6, 10 of Chhattisgarh Krishak Pashu Parirakshan Adhiniyam and 11 of Pashu Krurta

Nivaran Adhinyam.

3. The prosecution story, in brief is that, on 07.11.2019 in the night, the Station House Officer, Police Station Masturi received information that the present applicants are transporting cattles, thereafter raided and seized 21 bullock cattles from the possession of the present applicants. Based on this, offence has been registered against the present applicants.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the applicant Avtar Singh is in jail since 08.11.2019, and applicant Saheb Lal Kurrey is in jail since 07.11.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the applicant Avtar Singh is in jail since 08.11.2019, and applicant Saheb Lal Kurrey is in jail since 07.11.2019, 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 applicants on bail. Accordingly, the applications are allowed.
8. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

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