

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7772 of 2019

1. Sushil Sarve S/o Govind Sarve Aged About 34 Years R/o Bamanbada, Police Station Lakhnadin, District Sivni, Madhya Pradesh.
2. Vikrant Disuja S/o Ramesh Disuja Aged About 29 Years R/o Kalmana Nagpur Belenagar, Police Station Kalmana, Nagpur, Maharashtra.

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station Simga, District- Baloda Bazar - Bhatapara, Chhattisgarh.

---- Respondent

For Applicants	: Shri Anil Gulati, Advocate
For Respondent/State	: Ms.Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

21/01/2020

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 396/2019 registered at police station Simga, District Baloda Bazar (CG) for the offence punishable under Sections 48 and 52 of the CG Pashu Parivahan Adhiniyam; Sections 49, 49-A and 50 of Prevention of Cruelty to Animals Act and Section 4, 6, 7,9,10,11 of CG Krishak Pashu Parirakshan Adhiniyam.

As per case of the prosecution, on the basis of secret information, police apprehended the truck in which the applicants were

transferring the buffaloes for the purpose of slaughter.

Counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime. He further submits that charge sheet has been filed and the offence is triable by the Magistrate. He submits that the applicants are in jail since 29.09.2019 and the trial may take some time for its disposal and therefore they may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, the application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 25,000/- each with one local surety in the like sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge