

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7998 of 2019**

- Jamal Mohammed S/o Harun Mohammed Aged About 30 Years, R/o Mohalla- Upros New Basti, Kasba Maudaha, Police Station- Maudaha, District- Hamirpur, Uttar Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh, Through- Station House Officer, Police Station- Mohan Nagar, Durg, District- Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. B.P. Singh, Adv.
For Respondent/State	:	Mr.Vaibhav K. Agrawal, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28/01/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 274/2018 registered at Police Station-Mohan Nagar, Durg, District - Durg (C.G.) for the offence punishable under Sections 429 of the IPC, 4, 6, 10 of Chhattisgarh Krishi Pashu Parirakshan Adhiniyam and 66/192, 130(3)/177, 146/196 of Motor Vehicles Act.
2. The prosecution story, in brief, is that on 20.07.2018 the police received an information that in 10 wheeler truck bearing registration No. UP-91-T-0649 the agricultural cattle are being transported. On the basis of said information, the police officials reached to the spot and stopped the aforesaid vehicle, on which, the driver of said truck fled away and the police recovered 37 numbers of agricultural cattle from the said truck. Based on this, offence has been registered against the present applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 31.10.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the all the offences are triable by Judicial Magistrate First Class. The applicant is in jail since 31.10.2019 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 applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

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