

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7821 of 2019**

- Revat Kathle S/o Santosh Kathle, aged about 22 years, R/o village Kirvai, Thana and Tahsil - Simga, District Baloda Bazar - Bhatapara (C.G.).

---- Applicant**Versus**

- State Of Chhattisgarh Through : Police Station - Simga, District Baloda Bazar-Bhatapara (C.G.)

---- Respondent**And****MCRC No. 8231 of 2019**

- Shoeb S/o Shri Kifayat Ali, aged about 19 years, R/o behind 15 Masjid Khan, Islampur Huzur (wrongly mentioned as Slampur Huzur), Bhopal, District Bhopal (M.P.)

---- Applicant**Versus**

- State Of Chhattisgarh Through : District Magistrate, Baloda Bazar, District Baloda Bazar (C.G.)

---- Respondent

For Applicants	:	Shri Samir Singh, Adv. in MCRC No.7821/2019 and Shri Pragalbha Sharma, Adv. in MCRC No.8231/2019
For Respondent	:	Ms. Akshara Amit, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/01/2020**

1. Since, the aforesaid bail applications arise out of the same crime number, they are being disposed of together by this common order.
2. The applicants have preferred these first bail applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime

No.465/2019, registered at Police Station – Simga, Bhatapara, District Baloda Bazar (C.G.) for the offence punishable under Sections 4, 6, 9, 10, 11 of Chhattisgarh Agricultural Cattle Preservation Act, 2004, Sections 49, 49A, 50, 52 of the Prevention of Cruelty to Animals Act, 1960 and Sections 48 & 52 of Transport of Animal Rules, 1978 (wrongly mentioned as C.G. Transport of Animals Rules 1978.)

3. The prosecution story, in brief, is that on 04.11.2019, police of Police Station Simga, acting on a tip-off, conducted raid and intercepted the truck bearing registration No. MP-06-HC-5579 in which 11 buffaloes were found transporting in a cruel manner which were meant for taking them to the slaughter house. Based on this, offence has been registered against the applicants. Applicants have been taken into custody on 04.11.2019.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. They further submit that there is no incriminating material against the applicants to connect them with the crime in question. They also submit that the applicants are in custody since 04.11.2019, there is no likelihood of their cases being decided in near future and they are ready to furnish adequate surety and shall abide by all the conditions that may be imposed upon them. Therefore, they may be released on bail.
5. On the other hand, learned State counsel opposed the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicants are in custody since 04.11.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
8. Accordingly, the bail application is allowed.

9. It is directed that the Applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- each with one local surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge

Pekde