

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 417 of 2021**

- Masood S/o Shri Latif Aged About 22 Years Occupation - Agriculturist, Caste - Muslim, R/o Village Surta, Police Station Ramanujnagar (Wrongly Printed As Shrinagar In the Impugned Order), Tehsil - Ramanujnagar, District Surajpur, Chhattisgarh. ---- **Applicant**

Versus

- State of Chhattisgarh Through Station House Officer Udaipur, District Sarguja, Chhattisgarh., ---- **Non--applicant**

For Applicant : Ms. Deepali Dubey, Advocate.

For State : Mr. D.K. Tiwari, Dy. Govt. Advocate.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****23-02-2021**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as he is in jail since 15-12-2020 in connection with Crime No. 164 of 2020 registered at Police Station Udaipur, District Sarguja (CG) for the offence punishable under Sections 4, 6 & 10 of the CG Agricultural Cattle Preservation Act, 2004.
2. The allegation against the present applicant is that on 14-12-2020 he was carrying 9 cattles to slaughter house, thereby the aforesaid offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case, only on the basis of suspicion present applicant is arrested and he has brought the

said cattle for agricultural purpose. She would further submit that except present one, applicant has no other criminal antecedents, the charge sheet has been filed, he is in jail since 15-12-2020, and conclusion of the trial is likely to take some time, therefore he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application. However, he submits that except present one, applicant has no other criminal antecedents.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, nature of allegations made against the present applicant, detention period of the applicant, the fact that the applicant has no other criminal antecedent and there is no likelihood of the applicant tampering with evidence of absconding as admitted by both the parties, charge-sheet is filed, and that conclusion of trial may take some time, without commenting anything on merits of the case, I am of the opinion that it is a fit case to grant bail to the applicant.
7. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court. He shall appear before the trial Court on each and every date given by the said trial court, till disposal of the trial. The applicant is being

granted bail on the following conditions:

- i. he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial,
- iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial, and
- iv. he shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to this court.

Sd/-

(Gautam Chourdiya)
Judge

Raju