

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
Proceedings through Video Conferencing

MCRC No. 3038 of 2021

1. Raju Yadav S/o Late Shri Rajaram Yadav Aged About 39 Years (Wrongly Mentioned As Ri It Is Shri) R/o Village Jalampur Dhamtari District Dhamtari Chhattisgarh
2. Rajesh Kumar Dahariya S/o Late Shri Bansi Lal Dahariya Aged About 40 Years R/o Village And P.S. Bakhara District Dhamtari Chhattisgarh
3. Md. Sakib S/o Md. Sakur Aged About 45 Years R/o Pathanpura P.S. Murtijapur District Akola, Maharashtra **----Applicants**

Versus

- State Of Chhattisgarh Through, SHO Dallirajhara (Rajhara) District - Balod Chhattisgarh **----Non-applicant**

For Applicants	: Shri B.P. Singh, Adv.
For State	: Shri Alok Nigam, Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi

Order On Board

2-6-2021

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested on 7-4-2021 in connection with Crime No. 124/2021 registered at Police Station Dallirajhara, Distt. Balod (C.G.), for the offence punishable under Sections 4, 6, 10 of Krishi Pashu Parirakshan Adhiniyam and Section 11 of the Pashu Krurta Adhiniyam and Section 66/192 of the Motor Vehicles Act.
2. Case of the prosecution, in brief, is that in the night of 7-4-2021, on the basis of information of the informant, near Mahmala Petrol Pump, village Kusumkasa, from Truck bearing registration No. MH 40 Y 9355- 36 calves, from Truck bearing regd. No. MH 19 Z 1085- 42 calves and from truck container No. MH 40 BL 7153, 47 oxen were seized, all three vehicles were seized. Applicants were arrested on the spot on 7-4-2021. Thereafter, offence was registered against the applicants.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated. He further submits that nothing has been seized from the applicants and only on the basis of suspicion, they have been arrested, it has been wrongly alleged that the applicants were piloting the offending vehicles. He also submits that the applicants are in jail since 7-4-2021, the offence is triable by Magistrate First Class, the applicants will not abscond if bail is granted, therefore, present applicants may be enlarged on bail.

4. On the contrary, learned State counsel opposes the application for grant of bail.

5. Looking to the facts and circumstances of the case, nature and gravity of offence, period of detention and also considering the fact that the trial will take some more time for its conclusion, without further commenting on merits of the case, I am inclined to release the applicants on bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of their furnishing a personal bond in sum of Rs. 25,000/- with two local sureties in the like amount to the satisfaction of the concerned trial Court. They shall appear before the trial court regularly on each and every date as per direction of the court, unless exempted from appearance.

7. In view of above, I.A. No. 3/2021 for ad-interim bail stands disposed of.

Certified copy as per rules.

Sd/-
(N.K. Chandravanshi)
VACATION JUDGE