

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3608 of 2021

1. Mangu Lal Tekam S/o Guharam Tekam, Aged About 55 Years, R/o Behind Forest Depot Salhewara, Tahsil Chhuikhadan, Police Station Salhewara, District Rajnandgaon (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through The Police Station Bakarkatta, District Rajnandgaon (C.G.).

---- Non-Applicant

For Applicant	: Mr. Rakesh Pandey, Advocate.
For Non-Applicant/State	: Ms. Deepti Shukla, Panel Lawyer.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

22/07/2021

- 1) The matter is heard through Video Conferencing.
- 2) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 07/03/2020 in connection with Crime No. 02/2020 registered at Police Station Bakarkatta, District Rajnandgaon (C.G.) for the offence punishable under Section 4, 6 & 10 of Krishak Pashu Parirakshan Adhiniyam and Section 11(1) of Pashu Krurta Adhiniyam.
- 3) Allegation against the present applicant is that he alongwith co-accused Bir Singh were illegally transporting 21 cattle from Village Tendubhata to the slaughter house of Kattipar (Maharashtra).
- 4) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that the applicant 55 years old has been arrested on 07/03/2020, charge sheet has been filed and trial is likely to take some time

for its disposal due to COVID-19 Pandemic. Therefore, the applicant be released on bail.

- 5) On the other hand, learned counsel for the State opposes the bail application. She submits that applicant has no criminal antecedents.
- 6) I have heard learned Counsel for the parties.
- 7) Considering the facts and circumstances of the case, the detention period of the applicant who is 55 years old, charge sheet has already been filed, the fact that applicant has no criminal antecedents and there is no apprehension of the applicant tampering with the evidence or absconding as admitted by both the counsel and that conclusion of trial may take some time due to COVID-19 Pandemic, the application is **allowed**. It is directed that in the event of the applicant executing a personal **bond** for a sum of **Rs. 2,00,000/-** with two sureties of Rs. 1,00,000/- to the satisfaction of the concerned Trial Court, he shall be released on 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,
 - iv. he shall strictly follow the COVID-19 protocol issued by the Central Govt./State Govt./Local Authority,
 - v. he shall not involve himself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial Court in the event of applicant involving himself in similar offence in future.

**-Sd/-
(Gautam Chourdiya)
Judge**

Chandrakant