

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1144 of 2021**

- Indro Yadav S/o Nidhiram Yadav Aged About 28 Years R/o Charkhapara, Police Chowki Raruma, Police Station And Tahsil - Dharamgarh, District - Raigarh, Chhattisgarh

---- Apploicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Chowki Raruma, Police Station And Tahsil - Dharamgarh, District - Raigarh, Chhattisgarh

---- Respondent

For Applicant : Shri Kaushal Yadaw, Advocate
 For Respondent/State : Shri Sudhir Sahu, PL

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

20.09.2021

1. This is an application under Section 438 of CrPC for grant of anticipatory bail to the applicant as he apprehends his arrest in connection with Crime No. 193 of 2021 registered at Police Chowki Raruma, Police Station and Tahsil Dharamgarh, District Raigarh, Chhattisgarh for commission of offenses punishable under Sections 4, 6 and 10 of Wild Life (Protection) Act and Section 11 (d) of Pashu Krurta Adhiniyam.
2. Case of the prosecution, in brief, is that, on 30.08.2021, Police received a secret information with regard to transporting of agriculture cattle on a truck. Based on secret information, one Truck was intercepted and found 38 agriculture cattle were being transported by co-accused Kuddus Ansari and Sajja Ansari. While seizing the Tuck and cattle, statement of Hari Tirkey and Manoj Sahu was recorded. Based on seizure of cattle, and statement of witnesses, FIR was registered against four persons, namely, Kuddus Ansari, Sajja Ansari, Mahendra Sahu and Indro Yadav, for commission of offences as mentioned above.

3. Applicant, apprehending his arrest, filed this anticipatory bail application after rejection of his application by the Court below.

4. Shri Kaushal Yadav, learned counsel for the applicant would submit that applicant is not involved in commission of offence as alleged in any manner. He submits that he is working as labourer. As per allegation, applicant has done the labour work of loading of cattle. Hence, he may be enlarged on anticipatory bail.

5. On the other hand, Shri Sudhir Sahu, learned counsel for the State opposing the submissions of learned counsel for the applicants, submits that based on secret information, Truck was intercepted and 38 agriculture cattle were recovered from the Truck, which were being transported by Kuddus Ansari and Sajja Ansari, who were arrested from the spot. However, upon putting specific query with regard to involvement of present applicant and role played, he read over the statement of Hari Tirkey and Manoj Sahu and stated that applicant assisted in loading the cattle in Truck.

6. I have heard learned counsel for the parties.

7. Taking into consideration facts and circumstances of the case, nature of allegations alleged on applicant, and the submissions made by learned counsel for the parties, without commenting anything on merits of the case, I am inclined to grant anticipatory bail to the applicant.

8. Accordingly, the application is allowed and it is directed that in the event of arrest of applicant in connection with crime in question, he shall be released on anticipatory bail by the Officer arresting him on his executing a personal bond in the sum of Rs.25,000/- (Rupees twenty-five thousand) with one

surety in the like sum to the satisfaction of the concerned Arresting Officer.

The applicant shall also abide by the following conditions:

- a) That the applicant shall make himself available for interrogation before the Investigating Officer as and when required;
- b) That the applicant 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/her from disclosing such facts to the Court or to any Police Officer;
- c) That the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- d) That the applicant shall appear before the trial Court on each and every date given to him/her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
JUDGE

padma