

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7451 of 2021**

1. Pratap Satnami, S/o Bhagirathi Satnami, aged about 32 years, R/o Village Paibhatha, Police Station Sihava, District – Dhamtari (C.G.)
2. Raisingh Lahre, S/o Barsan Lahre, aged about 52 years, R/o Village Jamli, Police Station Magarlod, District – Dhamtari (C.G.)
3. Onkar Kurre, S/o Ramswaroop Kurre, aged about 32 years, R/o Village Piekbhatha, Police Station Sihava, District Dhamtari (C.G.)

---- Applicants/Accused**Versus**

State of Chhattisgarh, Through : Station House Officer, Police of Police Station Arjuni, District – Dhamtari (C.G.)

----Non-applicant

For Applicants : Mr. Anil Gulati, Advocate.
For Non-applicant : Mr. Ankur Kashyap, PL

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****16.11.2021**

(1) The applicants/accused have preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail in connection with Crime No. 230/2021 registered at police Station Arjuni, District Dhamtari for commission of offence punishable under Sections 4, 6 & 10 of Chhattisgarh Krishak Pashu Parirakshan Adhiniyam, 2004 and Sections 48 & 52 of Chhattisgarh Pashu Parihavan Niyam, 1978.

(2) Case of the prosecution is that on 26.8.2021, upon receiving secret information from the local member of the village to the effect the present applicants were transporting 40 cows brutally and mercilessly for the purpose of slaughtering in a Truck bearing registration No. C.G. 15/D.R./5632, the police of police Station Arjuni chased & stopped the said truck, then driver, Omkar Satnami & Rai Singh fled

away from the spot and thereby committed the aforesaid offences. Based on the above facts, FIR under Sections under Sections 4, 6 & 10 of Chhattisgarh Krishak Pashu Parirakshan Adhiniyam, 2004 and Sections 48 & 52 of Chhattisgarh Pashu Parihavan Niyam, 1978 has been registered against the applicants at Police Station Arjuni, District Dhamtari.

(3) Learned counsel appearing for the applicants would submit that applicants are the innocent persons and they have been falsely implicated in the crime in question as they have not committed the alleged crime. He would further submit that applicant No. 1 is languishing in jail since 01.09.2021 *whereas* applicants No. 2 & 3 are languishing in jail since 07.09.2021; charge-sheet has already been filed and as the applicants are permanent resident of District Dhamtari, therefore, there is no chance to influence the prosecution witnesses or absconding of the applicants, hence, they may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Considering the facts & circumstances of the case, nature & gravity of the offence; also taking into consideration the fact that applicants are in detention since 01.09.2021 & 07.09.2021; charge-sheet has already been filed and the offences registered against the applicants are triable by Judicial Magistrate, First Class ; I am of the view that it is a fit case to release the applicants on bail. Accordingly, the bail application is allowed.

(6) Accused/applicants are directed to be released on bail on each of them executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(N.K. Chandravanshi)
Judge

D/-

