

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8086 of 2020**

- Sami Ahmed S/o Late Moh. Karim Aged About 55 Years R/o R.K. Road, Village-Sirsa, P.S. Shrirampur, Dist- Hugli (West Bengal). Presently Resided At Village - Risda, P.S. Dabhra, Dist- Janjgir-Champa (Chhattisgarh)

---- Applicant**Versus**

- State Of Chhattisgarh Through- District Magistrate, District- Janjgir-Champa (Chhattisgarh)

---- Respondent

For Applicant	:	Shri Ishwar Jaiswal, Advocate
For State	:	Shri Lalit Jangde, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****18/02/2021**

Heard.

1. The applicant has been arrested in connection with Crime No.340/2020 registered at Police Station – Maalkharoda, Civil and Revenue District – Janjgir-Champa (C.G.) for alleged commission of offences under Section 4, 6, 10, of Chhattisgarh Agricultural Cattle Preservation Act, 2004 and Section 11 (1) (D) of Preservation of Cruelty to Animals Act, 1960 and Motor Vehicle Act, 66/192.
2. Prosecution case is that during transit of agricultural cattle, the applicant was found transporting some cattle without authority of law.
3. Learned counsel for the applicant would submit that a false case has been made against the applicant and there is no material against him that the transportation of cattle was done with the ultimate object of slaughtering.
4. On the other hand, learned State counsel opposes prayer and submits that during course of transit, about 40 agricultural cattle were found in the vehicle and a *prima facie* case is made out.

5. Taking into consideration the submission of learned counsel for the parties, particularly the nature of allegations and that investigation is complete, charge sheet has been filed and maximum sentence which could be awarded in the alleged commission of offence, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the Trial Court on the condition that -

- a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) He shall not make any attempt to tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge