

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8080 of 2020**

- Ganesh Dubey S/o Suklal Dubey Aged About 36 Years R/o Village Kamthi Road Nagpur, P. S. Jaripatta, District Nagpur Maharashtra

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station Palari, District Baloda Bazar Chhattisgarh

---- Respondent

For Applicant	:	Ms. Supriya Upasane and Ms. Anuja Sharma, Advocates
For State	:	Shri Praveen Shrivastava, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****05/02/2021**

Heard.

1. The applicant has been arrested in connection with Crime No.374/2020 registered at Police Station – Palari, District – Baloda Bazar, Bhatapara (C.G.) for alleged commission of offences under Section 4, 6, 10 of CG Krishi Pashu Atichaar Adhiniyam.
2. Prosecution case is that the vehicle on which, the applicant was a helper, was found transporting 30 numbers of cattle which according to the prosecution was being transported for being slaughtered.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated. Even according to the prosecution, the applicant was only a helper. He further submits that investigation is complete, charge sheet has been filed and the applicant is in jail since 03/10/2020. Therefore, at this stage, the applicant may be granted bail.
4. On the other hand, learned State counsel opposes prayer and submits that *prima facie* case is made out because when the vehicle was intercepted, 30 numbers of cattle

were found and the applicant was also found in the vehicle though as helper. It is submitted that the driver is still absconding. Therefore, if bail is granted, it will affect further investigation and trial.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that investigation is complete, charge sheet has been filed, the applicant is in jail since 03/10/2020 and also taking into consideration maximum punishment which could be imposed for 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 one local surety 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