

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8498 of 2020**

Mohd. Sakib, S/o. Mohd. Shakur, Aged About 46 Years, R/o. Pathanpuri, Nearby Junni Hatri, Murtijapur, Police Station Murtijapur, District Akola (Maharashtra)

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Of Police Station Balod, District - Balod (Chhattisgarh)

---- Respondent

For Applicant : Mr. Anil Gulati, Advocate

For Respondent/State : Mr. Gagan Tiwari, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

05.01.2021

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 28.10.2020 in connection with Crime No.276/2020 registered at Police Station- Balod, District Balod for the offence punishable under Sections 4, 6, 10 of Chhattisgarh Krishak Pashu Parirakshan Adhiniyam and Section 11 of Prevention of Cruelty to Animal Act.
2. As per the prosecution case, on 24.08.2020 the applicant along with other accused persons were transporting 22 Buffaloes in a Container which were taken for slaughter.
3. Learned counsel for the applicant would submit that the applicant is in jail since 28.10.2020, the charge sheet has been filed and no further seizure is necessary, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. On earlier occasion, a query was made to the State whether any similar antecedents are reported against the applicant or not ? State counsel would

submit that as per the instructions there is no previous antecedents of the like nature are reported against the applicant.

6. Considering the fact that the applicant is in jail since 28.10.2020 and the offences are triable by the J.M.F.C., I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
(Goutam Bhaduri)
Judge

Ashok