

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8868 of 2020

- Aslam Rehman S/o Saiyyad Abdul Rehman, Aged About 32 Years R/o Sharda Company Chowk, Police Station Yashodhara Nagar, District Nagpur (Maharashtra), Present R/o Transport Nagar, Rawabhatha, Khamtarai, Raipur, Chhattisgarh. ---- **Applicant**

Versus

- State Of Chhattisgarh Through P.S.O. Police Station Masturi, District Bilaspur Chhattisgarh. ---- **Respondent**

For Applicant	: Shri Santosh Bharat, Advocate
For Respondent/State	: Shri Vimlesh Bajpai, G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

07.01.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested on 28.10.2020 in connection with Crime No.464/2020 at Police Station-Masturi, District- Bilaspur (C.G.) for the offence punishable under Section 4, 6, 10 of The Chhattisgarh Agricultural Cattle Preservation Act, 2004.
2. The allegation against the applicant is that he alongwith driver of the vehicle illicitly transporting 32 small and big size bull and calves to the Maharashtra for Slaughterhouse, the Assistant Sub Inspector of Police Station-Masturi upon secret information, given by the informant, while patrolling, caught the applicant and seized 32 animals and one truck bearing registration No. C.G. 04 J.B. 0974.
3. Learned counsel for the applicant submits that the allegations against the applicant is false, he was working as cleaner in the said vehicle, he has no knowledge about the illegal transportation of the animals, he is falsely implicated in the case. Learned counsel for the applicant submits that the applicant/accused has no criminal antecedents and conclusion of the trial is likely to take some time, therefore, at this stage, he may be granted bail.

4. On the other hand, learned State Counsel opposes prayer for grant of bail. He further submits that the applicant has no criminal antecedents.
5. Having considered the submission made by learned counsel for the parties, taking into consideration the nature of allegation and detention period of the applicant and the fact that the applicant has no criminal antecedents as admitted by both the counsel and conclusion of the trial is likely to take some time, therefore, the application is allowed. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs. 50,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail, he is directed to appear before the Trial Court on each and every date given to him by the said Court, till disposal of the trial.
6. It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
(Gautam Chourdiya)
Judge

Nadim