

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9602 of 2021

- Bhupendra Kumar S/o Manthir, Caste Mahar, Aged About 23 Years R/o Adarsha Nagar, Utai, Tahsil And District Durg Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police of Police Station Pulgaon, Chowki Jevra- Sirsa, District Durg Chhattisgarh.

---- Non-Applicant

For Applicants	:	Mr. Praveen K. Dhurandhar, Advocate.
For Non-Applicant	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Narendra Kumar Vyas, Judge

Order on Board

20.12.2021

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant for grant of regular bail as he has been arrested in connection with crime No. 370/2021 registered at Police Station – Pulgaon, Chowki Jevra – Sirasa, District – Durg (C.G.) for the offence punishable under Sections 6, 10 of the Chhattisgarh Agricultural Cattle Prevention Act and Section 429 of the IPC and Section 66/192, 5/180, 3/181 of the Motor Vehicles Act.
2. It is contended by learned counsel for the applicant that owner of the vehicle has not been arrayed as accused for commission of offence under the Chhattisgarh Agricultural Cattle Prevention Act, but has been prosecuted under Section 429 of the IPC and Sections 66/192, 5/180, 3/181 of the Motor Vehicles Act. It is further contended by learned counsel for the applicant that the applicant is in jail since 08.09.2021 and he was only driving the vehicle and the vehicle is owned by other person,

namely, Ramakant Dahariya. It has been further contended that he has been falsely implicated in the crime, therefore, the applicant may be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and submits that in the vehicle No. CG-07, LV-7916 applicant was transporting 14 cattle for slaughter house, hence there is clear involvement of the applicant in commission of crime. Therefore, he is not inclined for grant of bail.
4. I have heard the learned counsel for the parties and perused the case diary.
5. Looking to the above facts and circumstances of the case without commenting anything on merits of the case, considering the fact that the applicant is in jail since 08.09.2021 and trial may take some time, I am inclined to release the applicants on bail.
6. Accordingly, the bail application is allowed. It is directed that on each of the applicants furnishing a personal bond of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned Trial Court, they shall be released on bail. 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.
7. Certified copy as per rules.

Sd/-
(Narendra Kumar Vyas)
Judge