

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9641 of 2021**

1. Mainuddin Shah S/o Pardeshi Shah Aged About 62 Years
2. Karamaat Shah S/o Fainuddin Shah Aged About 40 Years
Both are of Caste Musalmaan, R/o Saitangartoli, P.S.
Jashpur, Dist.- Jashpur (C.G.)

---- Applicants**Versus**

- State Of Chhattisgarh Through - P.S. Pathalgaon, Distt.-
Jashpur (C.G.)

---- Respondent

For Applicants	:-	Mr. Sanjay Agrawal, Advocate
For Respondent-State	:-	Ms. Smita Jha, PL

Hon'ble Shri Justice Deepak Kumar Tiwari
Order On Board

20/12/2021

1. The applicants have preferred this first bail application under Section 439 of the Cr.P.C. for grant of regular bail as they are arrested in connection with crime No.282/2021 registered in Police Station Pathalgaon, Distt. Jashpur C.G. for the offence punishable under Sections 4 and 6 of the Chhattisgarh Agricultural Cattle Preservation Act, 2004.
2. Case of the prosecution, in brief, is that on 23.11.2021 near village Gaala, two persons were beating cow, calves and Bull and carrying all animals towards Jharkhand, on such information, offence has been registered against the

applicants.

3. Learned counsel for the applicants submit that they are innocent and have been falsely implicated. He would further submit that there is no evidence available on record against the applicants; they are labors; offence is triable by JMFC; the applicants are in jail since 23.11.2021 and conclusion of trial may take some time, therefore, they may be enlarged on bail.
4. *Per contra*, learned State counsel would oppose the prayer for grant of bail.
5. Considering the facts and circumstances of the case, as also considering the fact that offence is triable by JMFC and period of detention as the applicants are in jail since 23.11.2021, this Court is inclined to release the applicants on bail.
6. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.10,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Certified copy as per rules.

SD/-

(Deepak Kumar Tiwari)
Judge

Ayushi