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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8751 of 2026

- Aayan Ahmad S/o Shri Mohd Asgar, Aged About 21 Years R/o. Village - Gumla, Punjabi Gali, Islampur In-Front Of Akil Medical Stores, Thana - Gumla, Distt - Gumla (Jharkhand)

... Applicant

versus

- The State Of Chhattisgarh Through The Station House Officer, Police Station - Batouli, Distt. -Surguja (C.G.)

... Non-applicant

For Applicant	:	Mr. Sumit Shrivastava, Advocate
For Non-applicant	:	Mr. Kanwaljeet Singh Saini, Dy.G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

26.10.2026

1) The applicant has preferred this First Bail Application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.08/2026, registered by Police Station Batouli, District : Sarguja (C.G.) for the offence punishable under Sections 281 and 3(5) of Bhartiya Nyaya Sanhita, 2023 r/w Sections 4, 6 and 10 of Chhattisgarh Agricultural Cattle Preservation Act, 2005 and Sections 11(1)(A) and 11(1)(D) of Prevention of Cruelty to Animals Act, 1960.

2) The case of the prosecution, in brief, is that Police Station Batouli received information about an abandoned pick-up vehicle bearing registration No. JH 01 FY 8400 and 13 cattle tied nearby in poor condition. The police rushed to the spot and seized the said vehicle. During the course of the investigation, the owner of the said vehicle, Harendra Mahto, stated that he had sold the vehicle to the present applicant.

3) The learned counsel for the applicant submits that the applicant has been falsely implicated in the present case without verification of the genuineness of the agreement produced by Harendra Mahto. He further submits that the cattle were healthy, were being used for agricultural purposes, and there is nothing on record to establish that they were intended for slaughter. He also submits that the applicant has been languishing in jail since 11.08.2026, and the conclusion of the trial is likely to take a long time. Therefore, he prays for the grant of regular bail to the applicant.

4) On the other hand, the learned counsel for the State opposes the bail application and submits that the applicant has not disclosed a criminal antecedent of a similar nature pertaining to the year 2025 in this bail application. He further submits that the existence of a criminal case of a similar nature makes him a habitual offender; therefore, he is not entitled to the grant of regular bail in the present case.

5) I have heard learned counsel for the parties and perused the case diary.

6) In the present bail application, the applicant has contended that the cattle were meant for agricultural purposes. However, it is undisputed that the cattle recovered near the abandoned pick-up vehicle were found in a deplorable condition. Furthermore, the medical report indicates that they were not in good health, thus, the allegation that the cattle were being transported for slaughter cannot be ruled out at this stage.

7) Pertinently, the applicant has not disclosed any criminal antecedents in this bail application, whereas the learned State counsel has contended that Crime No. 260/2025 was registered against the applicant at P.S. Jashpur for offences punishable under Sections 4, 6 and 10 of the Chhattisgarh Agricultural Cattle Preservation Act, 2004. Nonetheless, the primary objectives of examining an accused person's criminal antecedents during bail proceedings are:

- To assess the likelihood of compliance with bail conditions and ensure the accused will not flee or jump bail;

- To determine whether there is a habitual pattern of committing similar or grave offenses; and

- To evaluate the risk of evidence tampering, obstruction of the ongoing investigation, or witness intimidation.

The existence of 01 pending criminal antecedent of an identical nature pertaining to year 2025 underscores a persistent pattern of offending, raising a grave apprehension of offense repetition if he is enlarged on bail.

8) Also in light of the judgment rendered by the Supreme Court in ***Deepak Yadav v. State of Uttar Pradesh & Another***, reported in **(2022) 8 SCC 559**, wherein the Hon'ble Supreme Court had cancelled the bail granted to the accused therein on the ground that the accused had previous antecedents, this Court is not inclined to extend the benefit of bail to the applicant.

9) Accordingly, the instant bail application is **rejected**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Ajinkya