CGHC010390162026 2026:CGHC:43712

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1662 of 2026

- Bhojraj Yadav S/o Safed Yadav Aged About 39 Years R/o House No. 153, Ward No. 06, Saraipali, Tehsil Saraipali, District Mahasamund Chhattisgarh.

... Applicant

versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Saraipali, District Mahasamund Chhattisgarh.

... Non-applicant

PAWAN KUMAR JHA
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Date: 2026.10.09 11:03:15 +0530

For Applicant	:	Mr. Sudhir Kumar Sahu, Advocate
For Respondent-State	:	Mr. Varunendra Mishra, Panel Lawyer

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

08/10/2026

1. Applicant has preferred this application under Section 482 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 251/2026 registered at Police Station- Saraipali, District Mahasamund (C.G.) for the offence punishable under Section 04, 06, 10 of the Chhattisgarh Agriculture Cattle Preservation Act, 2004.

2. Case of prosecution, in brief, is that on 31.07.2026 at about 10:30 p.m., information was received that cows were being illegally transported in village Chakarda in a cruel manner. Upon reaching the spot, members of the Bajrang Dal allegedly found a small four-wheeler bearing registration No. CG07BC7907, completely covered with a tarpaulin. On removing the tarpaulin and ropes, they allegedly found nine cows forcibly confined in the vehicle in a pitiable condition. The police were thereafter informed

through Dial-112. Before the arrival of the police, the persons allegedly involved in the transportation, namely Uday Banjara, resident of Balsi (Ghadghdimuda), and applicant fled from the spot. It was further alleged that Uday Banjara was a habitual cattle smuggler and had previously been involved in three or four such cases. Based on it, aforementioned crime was registered.

3. Learned counsel for the applicant would submit that the allegation levelled against applicant is false and baseless. Applicant has been falsely implicated in the crime only because he was associated with the accused Uday Banjara, who is involved in transporting the cattles earlier also. He contended that there is no criminal antecedent of similar nature against him, hence, he may be granted anticipatory bail.

4. On the other hand, learned State counsel opposes the submission of counsel for applicant and would submit that in the memorandum statement of co-accused Uday Banjara, applicant has been shown to be driver of the vehicle on which the cattles were kept for transportation. However, upon asking he submits that at the time of inspection the vehicle was parked on the side of the road, covered with *tripal* and no person was found in the vehicle. He does not dispute the submission of learned counsel for applicant that applicant has been made accused only on the basis of memorandum statement of co-accused.

5. Upon putting specific query, learned State counsel submits that the co-accused Uday Banjara is involved in commission of similar nature of offence earlier also.

6. I have heard learned counsel for the respective parties and also perused the documents enclosed along with bail application.

7. On due consideration of the facts and circumstances of the case, nature of allegation, submission of learned counsel for the parties, and also that

there is no criminal antecedent of similar nature against applicant, without commenting anything on merits, I am inclined to allow this anticipatory bail application.

8. Accordingly, application is allowed and it is directed that in the event of arrest of applicant in connection with the crime in question (251/2026), he shall be released on anticipatory bail by the Officer arresting him on his executing a personal bond in the sum of ₹25,000/- with one surety in the like sum to the satisfaction of the concerned arresting Officer. Applicant shall also abide by the following conditions:

(i) that the applicant shall make himself available for interrogation before the Investigation Officer as and when required;

(ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

(iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(**Parth Prateem Sahu**)
JUDGE

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