CGHC010391592026 2026:CGHC:43724

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1673 of 2026

M. D. Sarfaraz Son Of M.D. Edrish, Aged About 37 Years Resident Of Patel Nagar, Khariyar Road, Post Khariyar Road, Thana Jonk Nuwpada Odisa

--- **Applicant**

versus

State Of Chhattisgarh Through Station House Officer, Police Station Saliha, District Sarangarh-Bilaigarh (C.G.)

--- **Respondent**

(Cause title is taken from CIS system)

For Applicant : Mr. Sudhir Sahu, Advocate

For Respondent/State : Mr. Himanshu Yadu, Dy.A.G.

Hon'ble Shri Justice Parth Prateem Sahu

Order On Board

08/10/2026

1. This is the first bail application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of anticipatory bail to the applicant who is apprehending his arrest in connection with Crime No. 45 of 2026 registered at Police Station Saliha, District – Sarangarh – Bilaigarh (C.G.) under Sections 281 of B.N.S., Section 4, 6, 10 of Chhattisgarh Agriculture Cattle Preservation Act, 2004 and Section 11 (1) (d) of Prevention of Animal Cruelty Act.

BALRAM PRASAD DEWANGAN Digitally signed by BALRAM PRASAD DEWANGAN

2. The prosecution case, in brief, is that a report was lodged alleging that on 10.08.2026, at about 5:00 A.M., one Eicher truck bearing Registration No. JH-02-BP-9090 was being driven rashly and negligently, as a result of which it met with an accident. Upon inspection of the vehicle, 21 cattle were allegedly found loaded therein without adequate food, water, or ventilation, and were allegedly being transported to a slaughterhouse. Due to the said accident, all 17 cattle died, while four sustained injuries.

3. Learned counsel for applicant submits that applicant is innocent and he has been falsely implicated in this case. Applicant has not committed any offence as alleged. He also contended that though the applicant is registered owner of vehicle involved in the crime of transporting cattle, however, the said vehicle was given to the Manpreet Singh for operating and doing business by special/general power of attorney dated 15.07.2026. The accident is of dated 10.08.2026, therefore, it cannot be said that applicant is involved in the aforementioned crime. Hence, applicant may be extended benefit of anticipatory bail.

4. Learned State counsel opposes the submission of learned counsel for applicant and submit that while transporting the cattle to the slaughter house, the vehicle met with an accident in which 17 cattle died. Driver of offending vehicle was arrested and during the course of investigation, Manpreet Singh in his memorandum statement stated that he is working as driver and was acting under the directions of Mohd. Sarfaraj, the owner of the vehicle.

5. I have heard learned counsel for parties and perused the documents placed on record.

6. Taking into consideration the facts and circumstances of the case, the nature of defence taken by applicant, material collected by police, I do not find present to be a fit case to allow the application for grant of anticipatory bail to applicant.

7. Accordingly, the anticipatory bail application is rejected.

Sd/-
(Parth Prateem Sahu)
Judge

Balram