

M.Cr.C. No. 7006/2014

(Zakir Ali Vs. State of M.P.)

30/09/2014

Shri Amit Lahoti, Advocate for the applicant/accused.

Shri Ayub Khan, P.L. for the respondent/State.

Case diary is available, after investigation charge-sheet was filed on 17/09/2014.

This is the first bail application filed by the applicant under Section 439 of Cr.P.C. for grant of bail in connection with crime No. 264/2014 registered at police station Kurvai, District Vidisha for the offences punishable under Sections 429 of IPC, Section 6/7 of M.P. Krashak Pashu Act, Section 4, 6 & 9 of M.P. Gauvansh Prohibition Act, Section 11(D) of Cruelty to Animal Act and Section 123, 147 of Motor Vehicle Act.

Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The alleged offences are not punishable for more than seven years. Moreover, the alleged offences are triable by the Court of Judicial Magistrate First Class. After investigation charge-sheet has already been filed and trial will take considerable time in disposal of the case. On the aforesaid grounds learned counsel for the applicant prayed for grant of bail.

Learned counsel for the State opposing the submission made on behalf of the applicant has prayed for rejection of the bail application.

On perusal of the copy of the charge-sheet, it is evident that 28 cattles were being carried mercilessly in a truck bearing

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No. MP20HB1588 for killing them. The truck and cattles were seized on 20/07/2014 at 05:15 AM by police station Kurvai. After investigation charge-sheet has already been filed.

Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the applicant, but without expressing any opinion on the merits of the case, this application is allowed and it is directed that the applicant be released on bail on his furnishing personal bond in the sum of **Rs. 25,000/- (Rs. Twenty Five Thousand Only)** with one solvent surety in the like amount to the satisfaction of trial Court on the condition that he shall remain present before the Court concerned during trial.

A copy of this order be sent to the Court concerned for compliance.

C.C. as per rules.

(M. K. Mudgal)
Judge