
(2022) 02 RAJ CK 0071

In the Rajasthan High Court

Case No : S.B. Criminal Miscellaneous Bail Application No. 999 Of 2022

Bahadur @ Badar And Others

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 15-02-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439
Rajasthan Bovine Animal (Prohibition Of Slaughter And Regulation Of Temporary Migration Or Export) Act, 1995 — Section 3, 5, 6, 8, 11(3)D

Citation : (2022) 02 RAJ CK 0071

Hon'ble Judges : Devendra Kachhawaha, J

Bench : Single Bench

Advocate : Hitendra Singh, Mukhtyar Khan

Final Decision : Allowed

Judgement

Devendra Kachhawaha, J

The present bail application has been filed under Section 439 Cr.P.C. on behalf of the petitioners, who are in judicial custody in connection with F.I.R. No.11/2022 Police Station Pratapgarh, registered for the offences under Sections 3, 5, 6 & 8 of Rajasthan Bovine Animal (Prohibition of Slaughter and Regulation of Temporary Migration or Export) Act, 1995 & Sections 11(3)D of the Animal Cruelty Act.

Heard learned counsel for the petitioners and learned Public Prosecutor. Perused the material available on record.

Learned counsel appearing for the petitioners submits that the offences are triable by Magistrate; the accused petitioner are behind the bars for last more than one month; earlier no case is registered against the accused petitioners and no cruelty was caused to the bovine animals, therefore, in these circumstances, the accused petitioners may be granted benefit of the bail.

Per contra, learned Public Prosecutor has opposed the bail application and

submits that there is allegation of illegal transportation of 11 cows and 3 calf.

Having regard to the facts and circumstances of the case, particularly to the fact that offences are triable by Magistrate, no cruelty is caused to the bovine animals, the accused petitioners are behind the bars since last one month and trial will take sufficiently long time, therefore, without expressing any opinion on the merits/demerits of the case, this Court is of the opinion that the bail application filed by the accused petitioners deserves to be accepted.

Consequently, the bail application is allowed. It is ordered that the accused-petitioners (1) Bahadur @ Badar son of Bhagirath and (2) Govind son of Goverdhanlal arrested in connection with F.I.R. No.11/2022 Police Station Pratapgarh, shall be released on bail, if not wanted in any other case, provided each of them furnishes a personal bond of Rs.50,000/- (Rupees Fifty Thousand) and two sureties of Rs.25,000/- (Rupees Twenty Five Thousand) each (out of which one surety shall be local) to the satisfaction of the learned trial Court for their appearance before that Court on each and every date of hearing and whenever called upon to do so till the completion of the trial.