

Pappu @ Shakir vs The State Of Madhya Pradesh on 3 December, 2024

Author: Dinesh Kumar Paliwal

Bench: Dinesh Kumar Paliwal

NEUTRAL CITATION NO. 2024:MPHC-JBP:59063

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IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE DINESH KUMAR PALIWAL
ON THE 3rd OF DECEMBER, 2024
MISC. CRIMINAL CASE No. 51023 of 2024
PAPPU @ SHAKIR
Versus
THE STATE OF MADHYA PRADESH
Appearance:
Shri Rajendra Yadav - Advocate for the applicant.
Shri S.M. Patel - Panel Lawyer for the respondent/State.

ORDER

This is second application filed by applicant under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail relating to FIR No.158/2024, dated 03.07.2024 registered at Police Station Ravanvada, District Chhindwara (M.P.) for commission of offence punishable under Sections 4, 5, 9 of M.P. Govansh Vadh Partishedh Adhiniyam & Section 11(1)(I) of Cruelty to Animal Act & Sections 6, 7, 10 of M.P. Krishik Pashu Parirakshan Adhiniyam & Section 66/192a of M.V. Act. Applicant is in detention since 03.07.2024.

Applicant's first bail application was dismissed as withdrawn and not pressed with the liberty to renew the prayer for grant of bail after four months vide order dated 26.07.2024 passed in M.Cr.C.No.31462/2024. 2 . As per the prosecution story, on 02.07.2024 on the basis of the information received from Bajarangdal, the truck bearing registration NEUTRAL CITATION NO. 2024:MPHC-JBP:59063 2 MCRC-51023-2024 No.UP-78-BT-6937 was intercepted. Driver of the truck after parking the same fled away. In search of truck 58 number of cattles belonging to Cow Progeny were found loaded and out of these two cattle were found in dead condition and rest were found in injured condition. After investigation charge sheet has been filed.

3. Learned counsel for the applicant has submitted that the applicant has not committed any offence. He is innocent. He has been falsely implicated. He has no criminal background. Therefore,

it is prayed that applicant may be released on bail, pending the trial.

4 . On the other hand, learned counsel for the State has opposed the prayer for grant of bail to the applicant.

5. Applicant is the first offender. Offences are triable by Judicial Magistrate First Class. Therefore, having taken into consideration all the facts and circumstances of the case, but without expressing anything on the merits of the case, I am of the view that it is a case in which further pre-trial detention of the applicant is not warranted. Consequently, this bail application under Section 483 of BNSS, 2023 (Section 439 of Cr.P.C., 1973) for grant of bail filed on behalf of applicant stands allowed.

6. It is directed that applicant - Pappu alias Shakir be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- (Rupees Fifty thousand only) with one solvent surety in the like amount to the satisfaction of the trial Court, for his regular appearance before the trial Court during trial with a condition that he shall remain present before the concerned Court on all the dates fixed by it during trial. He shall abide by all the conditions NEUTRAL CITATION NO. 2024:MPHC-JBP:59063 3 MCRC-51023-2024 enumerated under Section 480(3) of BNSS, 2023.

7 . This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become ineffective.

Certified copy as per rules.

(DINESH KUMAR PALIWAL) JUDGE Vin**