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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2239 of 2026**

1 - Shoyeb @ Shoib S/o Mujaffar Aged About 27 Years R/o Sai Tangartoli, Lodam, Jashpur, P.S. And Tahsil Jashpur, District- Jashpur (CG)

2 - Takir Khan S/o Sheikh Jamruddin Aged About 38 Years R/o Bargidand, Post Majhatoli, P.S. Raidih Kurokshattarpur, Gumala District Gumla, (Jharkhand)

--- Applicant(s)**versus**

State Of Chhattisgarh Through The Station House Officer P.S. Kotwali Ambikapur, District-Surguja (Cg)

--- Respondent(s)**MCRC No. 3039 of 2026**

Raifaz S/o Alijan Aged About 28 Years R/o Sai Tangartoli, Lodam, P.S. And Tahsil- Jashpur, District- Jashpur (Cg)

---Applicant(s)**Versus**



State Of Chhattisgarh Through- Police Station In Charge Sadar,
Ambikapur, District- Surguja (Cg)

--- Respondent(s)

MCRC No. 2829 of 2026

Adam Shah S/o Mainuddin Shah Aged About 34 Years (Wrongly
Mentioned As Shekh Zamaruddin) R/o Sai Tangartoli Lodam, Police
Station And Tahsil Jashpur District- Jashpur (C.G.)

---Applicant(s)

Versus

State Of Chhattisgarh Through Police Station In- Charge Kotwali,
Ambikapur, District- Sarguja (C.G.)

--- Respondent(s)

MCRC No. 2352 of 2026

Ajhar Khan @ Ajharuddin S/o Islam Mirza Aged About 22 Years R/o Sai
Tangartoli, Lodam, Jashpur, P.S. And Tahsil Jaspur, District Jashpur
(C.G.)

---Applicant(s)

Versus

State Of Chhattisgarh Through The Station House Officer Police
Station Kotwali Ambikapur, District- Surguja (C.G.)

--- Respondent(s)

For Applicant(s) in MCRC: Mr. Sanjeev Verma, Advocate.
No.2239 of 2026 and
2352 of 2026



For Applicant(s) in MCRC: Dr. Sudeep Agrawal, Advocate.
No.2829 of 2026 and
3039 of 2026

For Respondent(s) : Ms. Ritika Verma, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

22/04/2026

1. Since the above-mentioned bail applications arise out of same crime number, they are clubbed and heard together and are being disposed of by this common order.
2. These are the **first bail application** filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicants who have been arrested in connection with Crime No. 14/2026 registered at Police Station Kotwali Ambikapur, District- Surguja (C.G.) for the offence punishable under Sections 303(2), 111 of the Bharatiya Nyaya Sanhita (for short 'BNS') Sections 4, 6 and 10 of the Cattle Prevention Act and Section 11 of Prevention of Cruelty to Animals and Sections 112, 317(2) of BNS.
3. Case of the prosecution, in brief, is that on the basis of a written complaint lodged by the complainant, Rishikesh Mishra, on 05.01.2026, an FIR bearing Crime No. 14/2026 was registered at Police Station Ambikapur under Section 303(2) of the BNS. It is alleged that on the night of 04.01.2026, the accused persons,



acting in concert, forcibly tied 4–5 cattle with ropes, loaded them into different pickup vehicles, and committed theft/illegal transportation of the said cattle. During investigation, on the basis of memorandums of the accused persons, various incriminating articles were seized from their possession, including pickup vehicles, ropes, tarpaulin sheets, stolen cattle (cows and calves), and part of the sale proceeds in cash. As per the prosecution, the accused persons were part of an organized gang engaged in cattle theft and smuggling, operating in conspiracy with buyers based in Jharkhand, who used to demand stolen cattle. The alleged kingpins/financiers of the gang are yet to be arrested. Hence, the bail application.

4. Learned counsel for the applicants jointly submit that the applicants are innocent and have falsely been implicated in the present case. Learned counsel for the applicants further submit that so far as criminal antecedents of the applicants are concerned, applicant, namely, Shoyeb has three criminal antecedents of the years 2025 and 2019 registered at Crime Nos. 664/2025, 901/2025 and 107/2019, applicant, namely, Takir Khan has two criminal antecedents of the year 2025 registered at Crime Nos. 664/2025, 901/2025, applicant, namely, Ajhar Khan has four criminal antecedents of the years 2025 and 2021 registered at Crime Nos. 664/2025, 901/2025, 55/2025 and 69/2021, applicant, namely, Adam Shah has only one criminal antecedent registered at Crime No.901/2025 and applicant,



namely, Raifaz has also only one criminal antecedent of the year 2025 registered at Crime No.901/2025. Furthermore, against Crime No.901/2025, all the above applicants have preferred bail application bearing MCRC Nos.2545/2026, 2590/2026, 3031/2026 and 3040/2026, which are listed today at serial Nos.54, 55, 57 and 59, respectively. The applicants are in jail since 06.01.2026, charge-sheet has been filed and the trial is likely to take some time for its conclusion. Therefore, they pray for grant of bail to the applicants.

5. On the other hand, learned State Counsel appearing for the respondent/State opposes the bail application and submits that charge-sheet has been filed in the present case. She further submits that in furtherance of a common intention and as members of an organized gang, were involved in stealing and illegally transporting cattle by forcibly tying them and loading them into pickup vehicles during the night of the incident. She also submits that on the basis of their memorandums, stolen cattle, vehicles, ropes, and part of the sale proceeds were recovered from their possession, indicating their active involvement in the offence. Further, applicant, namely, Shoyeb has three criminal antecedents of the years 2025 and 2019 registered at Crime Nos. 664/2025, 901/2025 and 107/2019, applicant, namely, Takir Khan has two criminal antecedents of the year 2025 registered at Crime Nos. 664/2025, 901/2025, applicant, namely, Ajhar Khan has four criminal antecedents of



the years 2025 and 2021 registered at Crime Nos. 664/2025, 901/2025, 55/2025 and 69/2021, applicant, namely, Adam Shah has one criminal antecedent registered at Crime No.901/2025 and applicant, namely, Raifaz has also one criminal antecedent of the year 2025 registered at Crime No.901/2025, therefore, the applicants are not entitled for grant of bail.

6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case, nature and gravity of offence, period of detention of the applicants i.e. since 06.01.2025 and the fact that though the applicants in furtherance of a common intention and as members of an organized gang, were involved in stealing and illegally transporting cattle by forcibly tying them and loading them into pickup vehicles during the night, but considering the criminal antecedents of the applicants as applicant, namely, Shoyeb has three criminal antecedents of the years 2025 and 2019 registered at Crime Nos. 664/2025, 901/2025 and 107/2019, out of which, case of the year 2019 is old and stale, applicant, namely, Takir Khan has two criminal antecedents of the year 2025 registered at Crime Nos. 664/2025, 901/2025, applicant, namely, Ajhar Khan has four criminal antecedents of the years 2025 and 2021 registered at Crime Nos. 664/2025, 901/2025, 55/2025 and 69/2021, applicant, namely, Adam Shah has only one criminal



antecedent registered at Crime No.901/2025 and applicant, namely, Raifaz also has only one criminal antecedent of the year 2025 registered at Crime No.901/2025 and against Crime No.901/2025, all the above application have preferred bail application bearing MCRC Nos.2545/2026, 2590/2026, 3031/2026 and 3040/2026, which are listed today at serial Nos.54, 55, 57 and 59, respectively and the same are allowed today itself by this Court, as such, this Court is of the view that the applicants are entitled to be released on bail in these cases.

8. Let the Applicants - **Shoyeb @ Shoib, Takir Khan, Raifaz, Adam Shah** and **Ajhar Khan @ Ajharuddin**, involved in Crime No. 14/2026 registered at Police Station Kotwali Ambikapur, District-Surguja (C.G.) for the offence punishable under Sections 303(2), 111 of the Bharatiya Nyaya Sanhita (for short 'BNS') Sections 4, 6 and 10 of the Cattle Prevention Act and Section 11 of Prevention of Cruelty to Animals and Sections 112, 317(2) of BNS, be released on bail on furnishing a **personal bond** with **two local sureties** with respect to applicant, namely, Takir Khan and a **personal bond** with **two sureties each** with respect to applicants, namely, Shoyeb @ Shoib, Raifaz, Adam Shah and Ajhar Khan @ Ajharuddin in the like sum to the satisfaction of the Court concerned with the following conditions:-

- (i) The applicants shall file an undertaking to the effect that they shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in



court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuse the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicants are deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against them in



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accordance with law.

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

Sd/-

(Ramesh Sinha)
CHIEF JUSTICE

Akhil