



2026:CGHC:21401



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 4256 of 2026

1. Junaid Alam S/o Late Nazir Hussain Aged About 23 Years R/o Saitangar Toli Lodam, Police Station Lodam, District – Jashpur, Chhattisgarh
2. Afsaar S/o Late Safiulla Aged About 35 Years R/o Saitangar Toli Lodam, Police Station Lodam, District – Jashpur, Chhattisgarh

... Applicants

versus

State of Chhattisgarh Through Police Station In Charge, Kotwali, Ambikapur, District – Sarguja, Chhattisgarh

... Non-Applicant

For Applicants	: Ms. Deepali Gupta, Advocate.
For Non-Applicant/State	: Mr. S.S.Baghel, Government Advocate.

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

07.05.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 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 – Sarguja (C.G.), for the offences punishable under Sections 303(2), 111, 61, 317(2) B.N.S. and Sections 4, 6, 7, 10 of the Chhattisgarh Cattle Preservation Act 2004, and Section 11 of Prevention of Cruelty to Animals Act.
2. As per the prosecution story, 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 and illegal



transportation of the said cattle. During the course of investigation, on the basis of memorandum statements 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. According to the prosecution, the accused persons were members of an organized gang engaged in cattle theft and smuggling, acting in conspiracy with buyers based in Jharkhand who allegedly used to place demands for stolen cattle. It is further alleged that the kingpins/financiers of the gang are yet to be arrested. Hence, the present bail application.

3. Learned counsel for the applicants submits that the present applicants are innocent and have been falsely implicated in the aforesaid case. It is further submitted that co-accused persons, namely Raifaz, Adam Shah, Ajhar Khan, Takir Khan, Shoyed have already been granted bail by this Court vide order dated 22.04.2026 passed in MCRC Nos. 3040/2026, 3031/2026, 2590/2026 and 2545/2026, respectively. Further, the charge-sheet has been filed, the applicants have previous criminal antecedents, the same has been explained in paragraph No. 4A of this bail application and they have been in custody since 06.01.2026. Therefore, it is submitted that the present applicant is also entitled to be released on regular bail on the ground of parity.
4. On the other hand, learned State Counsel opposes the bail application and submits that the charge-sheet has been filed in the present case but he could not dispute the fact that the co-accused persons have already been granted bail by this Court. Further, the applicants have previous criminal antecedents, the same has been explained in paragraph No. 4A of this bail application.



5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature of allegations and the material available on record, the fact that co-accused persons, namely Raifaz, Adam Shah, Ajhar Khan, Takir Khan, Shoyed have already been granted bail by this Court vide order dated 22.04.2026 passed in MCRC Nos. 3040/2026, 3031/2026, 2590/2026 and 2545/2026, respectively, further, the charge-sheet has been filed, the applicants have previous criminal antecedents, the same has been explained in paragraph No. 4A of this bail application and they have been in custody since 06.01.2026, therefore, this Court is of the view that the present applicants are entitled to be released on bail in this case on the ground of parity.
7. Accordingly, the bail application is **allowed**. Let the Applicant Nos. 1 and 2 – **Junaid Alam** and **Afsaar**, involved in Crime No. 14/2026 registered at Police Station - Kotwali, Ambikapur, District – Sarguja (C.G.), for the offences punishable under Sections 303(2), 111, 61, 317(2) B.N.S. and Sections 4, 6, 7, 10 of the Chhattisgarh Cattle Preservation Act 2004, and Section 11 of Prevention of Cruelty to Animals Act, be released on bail on his furnishing **personal bond** with **two sureties each** 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 them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicant fails 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 accordance with law.

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

Sd/-
(Ramesh Sinha)
Chief Justice