



2026:CGHC:10538



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9277 of 2025

1 - Mohd. Firoz @ Firoz S/o Mohd. Noor, Aged About 42 Years R/o Village Bhaldarpura, Infront Of Badi Masjid, Near Shukrawari Talab Police Station Ganeshpeth, District- Nagpur, (Maharastra)

2 - Bharat Shrikrishna Suryavanshi @ Bharat S/o Shrikrishna Suryavanshi Aged About 33 Years R/o Murtizapur, Pola Chowk Naveen Ghar Kul, Police Station Murtizapur District- Akola (Maharastra)

... **Applicant(s)**

versus

State Of Chhattisgarh Through Station House Officer, Police Station Somani, District- Rajnandgaon (C.G.)

... **Respondent(s)**

For Applicant(s) : Mr. Rishi Sahu, Advocate.

For Respondent(s) : Ms. Anusha Naik, Dy. G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

28/02/2026

1. This is 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. 148/2025 registered at Police Station Somani, District- Rajnandgaon (C.G.) for the offence punishable under Sections 111, 325, 3(5) of BNS and Section 4, 6, 10 of the C.G. Krishak Pashu Parikshan Adhiniyam, 2004 and Section 11 of the Pashu Krurta Adhiniyam, 1960.

2. Case of the prosecution, in brief, is that on 11.07.2025 between 2:00 PM to 3:00 PM, the co-accused persons allegedly transported 34 cattle, including cows and buffaloes, in a vehicle bearing Registration No. MH-35/AJ-2992. During investigation, it was found that out of the said animals, 11 had died and 23 were found alive. On this basis, the aforesaid crime was registered. It is further alleged that during investigation, on the basis of memorandum statement of the co-accused persons, the present applicants have also been implicated in the said offence. Hence, the bail application.
3. Learned counsel for the applicants submits that the applicants have not committed any offence and they have been falsely implicated in offence in question. He further submits that identically situated co-accused, namely, Abdul Razique has already been granted bail by this Court vide order dated 03.11.2025 in MCRC No.7554 of 2025. The applicants are in jail since 01.09.2025, applicant No.2 has five criminal antecedents of



the years 2018, 2021, 2022 and 2023, out of which, status of two cases bearing case Nos.291 of 2022 and 349 of 2022 are pending and status of rest of the cases are not available, further the charge-sheet has been filed and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicants.

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. She further submits that the applicants allegedly involved in the illegal transportation of 34 cattle in the vehicle, resulting in the death of 11 animals, so far as criminal antecedents of the applicants are concerned, applicant No.2 has five criminal antecedents of the years 2018, 2021, 2022 and 2023, therefore, the applicants are not entitled for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of offence, period of detention of the applicants since 01.09.2025, the fact that though the applicants allegedly involved in the illegal transportation of 34 cattle in the vehicle, resulting in the death of 11 animals, but considering the fact that co-accused, namely, Abdul Razique has already been granted bail by this Court vide order dated 03.11.2025 in MCRC No.7554 of 2025 and the case of present applicants is identical to that of the



said co-accused, also considering the criminal antecedents of the applicant No.2, which are five in number and the fact that charge-sheet has been filed in the present case, this Court is of the view that the applicants are entitled to be released on bail in this case.

7. Accordingly, the application is **allowed**.
8. Let the Applicants- **Mohd. Firoz @ Firoz** and **Bharat Shrikrishna Suryavanshi @ Bharat**, involved in Crime No. 148/2025 registered at Police Station Somani, District- Rajnandgaon (C.G.) for the offence punishable under Sections 111, 325, 3(5) of BNS and Section 4, 6, 10 of the C.G. Krishak Pashu Parikshan Adhiniyam, 2004 and Section 11 of the Pashu Krurta Adhiniyam, 1960, be released on bail on his furnishing a **personal bond** with **two local 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 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 accordance with law.

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

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE