

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.534 OF 2016

Mohd. Hussain Moiddin Qureshi	...Applicant
V/s.	
The State & Anr.	...Respondents

**WITH
ANTICIPATORY BAIL APPLICATION NO.454 OF 2016**

Meeraji Moiddin Qureshi	...Applicant
V/s.	
The State & Anr.	...Respondents

**WITH
CRIMINAL APPLICATION NO.560 OF 2016
IN
ANTICIPATORY BAIL APPLICATION NO.454 OF 2016**

Chetan Ramanand Sharma	...Applicant
V/s.	
The State of Maharashtra	...Respondent

Mr.Milan Desai I/by Ms.Ashwini Deasi for the Applicants.

Smt.J.S. Lohokare, APP for Respondent-State.

Mr.Pambaj Bhople, PSI Shivaji Park Police Station, Dadar(W),
Mumbai-400 028.

CORAM : N. W. SAMBRE, J.

DATE : 28th NOVEMBER, 2016.

P.C.

1. The applicants are seeking pre arrest bail in Crime No.8 of 2016 registered with Shivaji Park Police Station, Mumbai, for offences punishable under Sections 5(a)(1), 5(b), 9, 9(b), 11 of the Maharashtra Animal Preservation Act, 1995 and under Section 11 of the Maharashtra Animal Cruelty Act 1960.

2. The allegation against these applicants are that they have facilitated the transport of cow for the purpose of slaughtering which is banned and is an offence.

3. The applicant's names were disclosed in the FIR as persons who committed the crime.

4. The applicant Mohammed Hussain Moiddin Qureshi is brother of the applicant Meeraji, who appears to be a person who was also instrumental in getting the cow transported for slaughtering.

5. The accused persons who were actually found to be involved in the transportation were arrested and already released on

bail. The allegation against the applicant is that he is the owner of the vehicle and facilitated the transportation.

6. In my opinion, looking to the nature of the allegation, the custodial interrogation is unwarranted particularly in the light of an undertaking given by the learned counsel for the applicants upon instructions that irrespective of the permission from the Competent Authority, the vehicle in question will never be used for transportation of any animal till the conclusion of the trial.

7. The applications are allowed. In the event of arrest, the applicant be released on P.R. Bond of Rs.15,000/- each with one or two sureties in the like amount.

8. The applicant shall attend police station on 05th, 08th and 13th December 2016 and thereafter as and when called for.

9. The applicants shall not tamper with the evidence or witnesses in any manner whatsoever.

(N. W. SAMBRE, J.)