

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.371 OF 2016

(MOHAMMAD AZHAR MOHAMMAD HANIF...VS..STATE OF MAH. THR. PSO PS KHAMGAON
(RURAL), DIST. BULDHANA)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : MAY 05, 2016.

Heard Shri R.M.Mardikar, advocate for the
applicant and Shri S.B.Bissa, A.P.P. for the non-applicant.

With the assistance of the learned advocate for
the applicant and the learned A.P.P., I have gone through the
F.I.R. and the copy of the reply filed by the Investigating
Officer before the Sessions Court, which is placed on record.

The applicant is arrested on 30th March, 2016 in
crime registered against him for the offences punishable
under Sections 379, 429 and 34 of the Indian Penal Code,
Section 5(a) and (b) of the Maharashtra Animal Preservation
Act (as amended) and Section 11 of the Prevention of Cruelty
to the Animals Act, 1960.

The accusations against the applicant are that Sk.
Nazim Sk. Mehboob and Janardhan Kharat committed theft of
five bullocks out of which four bullocks were sold to the
applicant and his brothers and it is revealed on investigation
that the applicant and his brothers slaughtered the four

bullocks.

The learned advocate for the applicant states that some of the co-accused are released on bail.

Considering the facts on record, nature of the accusations against the applicant and as the reply filed by the non-applicant before the Sessions Court does not show that the non-applicant require the custody of the applicant for further investigation, in my view, the applicant is entitled to be released on bail.

Hence, the following order :

The applicant having been arrested in Crime No.37 of 2016, registered by the non-applicant, the applicant be released on bail on furnishing P.R. Bond for Rs.Twenty Thousand and one solvent surety in the like amount.

The application is allowed in the above terms.

JUDGE