

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

ANTICIPATORY BAIL APPLICATION NO.1321 OF 2017

Lukman Shamin Khamkar	..	Applicant
Vs.		
State of Maharashtra	..	Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.1322 OF 2017**

Mustak Badrudin Namde	..	Applicant
Vs.		
State of Maharashtra	..	Respondent

Mr.Gaurav Parkar for the applicants in both the matters.
Mr.Deepak Thakare, Additional Public Prosecutor for the respondent.

CORAM : T.V. NALAWADE, J.
DATE : 9th August 2017

P.C. :

. The applications are filed for reliefs of anticipatory bail. Both the sides are heard. Papers of investigation were made available for perusal of this Court.

2. Papers of investigation show that the crime in C.R. No.119 of 2017 was registered in Taloja Police Station for the offences punishable under Section 429 and 34 of the Indian Penal Code and few sections of the Maharashtra Animal Preservation (Amendment) Act, 1995 on the basis of the report given by the Police Constable Sachin. There was secret information to the police that near one Urdu School in creek portion, Babu and his associates were slaughtering the animals for getting meat. Police went to the spot but after seeing the police, Babu

and his associates ran away. There were parts of the cattle and they were taken over. It is the contention of the respondent that the present applicants were present there as associates of Babu.

3. The submissions made and records show that nobody was caught red handed. The First Information Report does not show that they had seen as associates of Babu as description of associates of Babu does not appear in the First Information Report. The witnesses are only the police witnesses. In view of these circumstances, protection needs to be given to both the applicants. In the result, both the application are allowed. Interim relief granted by this Court by an order dated 26th July 2017 is confirmed.

T.V. NALAWADE, J.