

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1673 OF 2017***

Guddu Qureshi a.k.a. Habibul Halim A.Halim

Saudagar.

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.Aaditya A. Gore, for the applicant.

Ms.Veera Shinde, APP, for the State.

CORAM : SMT. SADHANA S.JADHAV, J.

DATE : 9th January, 2018.

P.C. :

1. Heard. This is an application under Section 438 of Cr.P.C. The applicant herein is apprehending his arrest in Crime No.54 of 2015 registered at Junnar Police Station for the offences punishable under Sections 5, 5(A), 5(C), 9(A) of the Maharashtra Animal Preservation Amendment Act, 1995, Section 11 of the Prevention of Cruelty to Animals Act, 1960 and Sections 66, 177 and 192 of the Motor Vehicles Act, 1988.
2. It is the case of the prosecution that on 18.12.2015, Ashok Jadhav, ASI officiating Junnar Police Station lodged a report alleging

therein that on 18.12.2015, when they were on patrolling duty, they had intercepted a white coloured pick up van bearing registration No. MH-20/BT/662. They had found the remains of animals. It was suspected that it was beef. They had enquired with the driver of the said vehicle, whose name is Sajid Abdul Rehman Chaudhary and he had disclosed the name of the present applicant to whom the cows belonged. The police had seized about 690 kgs. of beef and the other remains of the animals worth Rs.60,000/-, one axe and knife from the said vehicle. On the basis of the said report the offences were registered under Sections 5, 5(A), 5(C), 9(A) of the Maharashtra Animal Preservation Amendment Act, 1976, Section 11 of the Prevention of Cruelty to Animals Act, 1960 and Sections 66, 177 and 192 of the Motor Vehicles Act, 1988.

3. The applicant had placed on record certain documents to indicate that he had obtained permission from Krushi Utpanna Sammittee Junnar for selling mutton, but there was no permission for beef.

4. The learned APP submits that in fact the first information report was lodged on 18.12.2015. The co-accused were arrested and enlarged on bail. However, the applicant was absconding and, therefore, he does not deserve to be granted discretionary relief in the nature of anticipatory bail.

Be that as it may, in the facts of the case, the applicant deserves to be granted pre-arrest bail.

ORDER

- (i) The application is allowed.
- (ii) In the event of his arrest the applicant be enlarged on bail on furnishing P,.R.Bond in the sum of Rs.50,000/- with one or more sureties in the like amount.
- (iii) The applicant shall report to the concerned police station on every Friday and Sunday between 10.30 a.m. to 12 noon for a period of six months.
- (iv) Upon failure to attend any two consecutive dates, the prosecution would be at liberty to seek recalling of this order.

The application stands disposed of.

(SMT. SADHANA S.JADHAV, J.)