

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

**BAIL APPLICATION NO. 2646 OF 2018**

1. Sufiyan Jalil Mulla  
2. Rfique Abdul Latif Naik ..Applicants

v/s.

The State of Maharashtra . ..Respondents

Mr. Mujahid Mulla for the Applicant.  
Mr. A.D. Kamkhedkar, APP for the State.  
Mr. A.P.Narwade, ASI Rasayani P.Stn. Present.

**CORAM : ANUJA PRABHUDESSAI,J.  
DATED : OCTOBER 10, 2018.**

**P.C.**

1. This is an application for bail filed under Section 439 Cr.P.C. by the aforesaid applicants, who have been arrested in Crime No. 81 of 2018 registered at Rasayani Police Station, District Raigad, for the for offences under Section 429 r/w. 34 of Indian Penal Code and Section 5A, 5B, 5C and 9, 9b of Maharashtra Animal Preservation Act, 1976.

2. Heard Mr. Mulla, the learned Counsel for the applicants and

Shri Kamkhedkar, the learned APP for the State. I have perused the records and considered the submissions advanced by the learned Counsel for the respective parties.

3. The case of the prosecution in brief is that on 9<sup>th</sup> September, 2018, P.I. Jagdale, attached to Rasayani Police Station, had received information about illegal slaughtering of bullocks at the bank of Patalganga river, Village Sarsai. Accordingly he raided the place in presence of panchas. They found 5-6 people, including the applicants herein slaughtering bullocks.

4. The maximum punishment for the alleged offence is imprisonment for a term of five years. The applicants were arrested on 14<sup>th</sup> September, 2018 and are presently in judicial custody. Presence of the applicant is no longer required for the purpose of investigation or interrogation. The learned APP submits that a similar crime was registered against the applicants in the year 2017. The learned trial Court has rejected the bail mainly on the ground of registration of the said crime. The learned Counsel for the applicants under instructions, makes a statement that the applicants will not indulge in any such illegal activities. Statement accepted.

5. Considering the above facts and circumstances the application is allowed on the following terms and conditions:-

(i) The applicants abovenamed who have been arrested in Crime No. 81 of 2018 registered at Rasayani Police Station, District Raigad, are ordered to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) each with one or two solvent sureties in the like amount;

(ii) The applicants shall provide their permanent as well as temporary address, if any, and their contact details to the Investigating Officer and in the bail bond;

(iii) The applicants shall not change their residential address without prior intimation to the Investigation Officer;

(iv) The applicants shall not tamper with the evidence or interfere with the witnesses in any manner.

Prasanna  
Pradeep  
Salgaonkar

Digitally signed by  
Prasanna Pradeep  
Salgaonkar  
Date: 2018.10.11  
15:35:30 +0530

(ANUJA PRABHUDESSAI, J.)