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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.177 OF 2019

Khaja M.Kasim Kureshi ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

Mr.Sachin Deokar i/b. Mr.Mohammad S.Mulla for the applicant.

Mr.A.A. Palkar, APP for the respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 21, 2019

P.C.:-

Heard learned counsel for the applicant and learned APP for the State.

2. In crime No.301/2018 for offence punishable under section 11(1) (a) ((h) (i) of Prevention of Cruelty to Animals Act, section 5(A), (B) of the Maharashtra Animal Preservation Act, sections 83 and 177 of the Motor Vehicles Act and section 47(A), (B), 48, 49(A) 54(1) (3) and 56(k) of Animal Transportation Act registered Mandrup police station, District Solapur, the applicant

is seeking pre-arrest bail.

3. The F.I.R. and the investigation papers reveal that the vehicle in which the livestock was transferred contravening the provisions of above mentioned sections are already recovered.

4. That being so and having regard to the fact that there are no criminal antecedents, the case for pre-arrest bail is made out as the custodial interrogation of the applicant is not warranted. Hence the order :-

- i) In the event of arrest in Crime No.301/2018 for offence punishable under section 11(1) (a) ((h) (i) of Prevention of Cruelty to Animals Act, section 5(A), (B) of the Maharashtra Animal Preservation Act, sections 83 and 177 of the Motor Vehicles Act and section 47(A), (B), 48, 49(A), 54(1) (3) and 56(k) of Animal Transportation Act registered Mandrup police station, District Solapur, the applicant be released on bail on his executing P.R. bond of Rs.15,000/- with one or two sureties in the like amount;
- ii) The applicant shall attend the Investigating officer on 25th, 29th January, 2019, 4th, 8th, 11th, 15th February, 2019 between 10.00 a.m. to 12.00 noon and thereafter as and

when directed;

- iii) The applicant shall not influence the prosecution witnesses or tamper with the evidence;
- iv) The applicant shall co-operate with the investigating agency;
- v) In case it is noticed that the applicant is involved in similar type of offence, liberty is granted to the prosecution to move for cancellation of his bail;
- vi) The application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)