

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.560 OF 2019

Imran Azimullah Ansari, Age 30 years,
Occ.Service, R/o.House No.791/07,
Habibullah Ki Chawl, Shanti Nagar Road,
Behind Anand Theater, Gaibi Nagar,
Bhiwandi, District Thane-421 302.

Applicant

versus

The State of Maharashtra

Respondent

Mr.Salman Khan for applicant.

Mrs.G.P.Mulekar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 5th March 2019

PC :

1. This is an application for anticipatory bail in CR No.I-291 of 2018 registered with Bhiwandi Taluka Police Station for offences under Sections 429 r/w 34 of Indian Penal Code and under Sections 5, 6, 6(c) and 9 of Maharashtra Animal Preservation Act, 1976.

2. The case of the prosecution is that the accused were proceeding in an auto rickshaw carrying 600 kgs of meat. The patrolling police noticed the auto rickshaw and chased it. Thereafter the accused left the auto rickshaw and fled away from the place of incident.

3. The co-accused was arrested. He was driving the auto rickshaw. During the course of investigation it was disclosed that the applicant is the owner of rickshaw and offence was committed in

connivance with applicant. Learned counsel for applicant submits that he is not concerned with the alleged crime. The applicant is the owner of auto rickshaw, but has no complicity in the crime. The rickshaw was being handed over to concerned person for carrying passengers and not for committing alleged offence. Learned APP submits that CA report supports the prosecution case.

4. The co-accused was arrested. During the course of interrogation of the co-accused the involvement of applicant was disclosed. The said fact is appearing in the remand application filed before concerned Court qua arrested accused. Thus, presently, prima facie there is involvement of applicant and considering the nature of offence, custodial interrogation of the applicant is necessary. Hence, anticipatory bail application is rejected.

(PRAKASH D. NAIK, J.)

MST