

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 927 OF 2019

Murtuza Mushtaque Ahmed

... Applicant

Versus

The State of Maharashtra

... Respondent

Mr. J. D. Khairnar, Advocate for the Applicant.

Ms. S.S. Kaushik, APP for the State/Respondent.

CORAM :- SARANG V. KOTWAL, J.
DATE :- 18th JUNE, 2019.

P. C. :-

1. The applicant is seeking anticipatory bail in connection with C.R.No. 12/2019 registered with Azad Nagar Police Station, Malegaon, Dist. Nasik under Sections 5(c) read with 9 (A) of Maharashtra Animal Preservation Act, 1976.
2. The FIR is lodged by police constable Devre on 12/01/2019. According to him, on a prior information the police party along with the panchas went to Gandhi Market. They saw the truck bearing no. MH-45-1350, parked at that spot which was the subject matter of the information. The raiding party searched the truck and found that

there was about 8950 Kg meat stored illegally. The articles were seized and samples were drawn for sending it for analysis. After analysis by a veterinary doctor, it was found that it was beef and therefore, this offence was registered.

3. Heard both sides.

4. Learned counsel for the applicant submits that the applicant has absolutely no connection with the alleged offence, but he apprehended his arrest because his name is mentioned in the FIR. The statement in the FIR shows that the police party asked some persons who were present nearby when the name of the present applicant has transpired. Thereafter, as on today there does not appear to be any evidence showing connection of the present application. Therefore, applicant has made out a case for anticipatory bail. However, if in future during investigation, if investigating officer finds any concrete material against the applicant, they can seek cancellation of applicant's bail. Hence, the following order:-

ORDER

1. In the event of his arrest in connection with C.R.No. 12/2019 registered with Azad Nagar Police Station, Malegaon, Dist. Nasik till the next date, the Applicant be released on bail on his executing P.R.

Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.

2. In case, the investigating agency comes across any concrete evidence against the applicant, they are at liberty to apply for cancellation of the anticipatory bail granted to the applicant.
3. Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)