

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

BAIL APPLICATION NO. 1426 OF 2019

Abdul Rahim Abdul Karim Qureshi ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Manohar S. Mandavkar, Advocate for the Applicant.

Mr. S. H. Yadav, APP for the State-Respondent.

Mr. R. K. Ghige, PSI, Dighi Police Station, Pune, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 6th December, 2019

PC :

1. This is an application for bail. The applicant is arrested in connection with C.R. No. 205 of 2018 registered with Dighi Police Station, Pune for offences punishable under Sections 307, 332, 429 r/w Section 34 of Indian Penal Code ("IPC" for short) and Sections 5, 5(a), 5(c) & 9 of Maharashtra Animal Protection Act 2015.

2. The prosecution case is that on 13th August, 2018 the complainant was on night duty from 12th August, 2018 to 13th August, 2018. Police Naik- Mr. Anil Daundkar was also on duty with him. There were provided motor cycle and walkie-talkie. They were patrolling in Datta Nagar area. When they were patrolling at about 3.15 a.m. they received message from Police Control Room on their walkie-talkie that thieves had arrived behind hotel Pragati. They

were given number of caller. Police Naik- Mr. Anil Daundkar gave call to caller on the said number. The caller told them to maidan switching off the light. They were joined by Police Inspector- Mr. Shendge, Police Naik- Mr. Devghare and Police Constable- Mr. Gadhave. Caller and his three persons were standing in dark. They informed that one car has proceeded. They started running towards the car. Police followed them. They stopped motorcycle and started walking. One four-wheeler came towards them in a speed. The caller and his associates tried to stop the car. The driver attempted to drive car on them. They managed to dodge the car. Police Constable- Mr. Gadhave and Police Inspector-Mr. Shendge chased the car. The driver of car dashed their vehicle. Police Naik - Mr. Daundkar and complainant tried to stop car. The driver attempted to drive the car on person of complainant. He managed to avoid. However, due to dash of car he sustained injury to his leg. The police gave stick blows on screen of car. The car dashed the stone. Two persons sitting in car ran away. Animal flesh was found in car. Weapons were also found.

3. The applicant was not arrested on spot. According to witness he had seen accused in light of car. The applicant is in custody since 14th August, 2018. Charge-sheet has been filed. No other antecedents against the applicant. Hence bail can be granted on certain terms and conditions.

ORDER

- i) Bail Application No. 1426 of 2019 is allowed;
- ii) The applicant is directed to be released on bail in connection C.R. No. 205 of 2018 registered with Dighi Police Station, Pune on his furnishing P. R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount;
- iii) The applicant shall report concerned police station once in a month on every first Saturday between 10.00 am. to 12.00 noon till further order;
- iv) Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)