

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

907 CRIMINAL WRIT PETITION NO.1082 OF 2021

**SHAIKH PASHA SHAIKH JAMAL QURESHI
VERSUS
THE STATE OF MAHARASHTRA**

Mr. Shaikh Abid R., Advocate for the petitioner
Mr. S. P. Sonpawale, APP for the respondent/State

CORAM : N. R. BORKAR, J.

DATE : 12-10-2021

P. C.

. This petition takes an exception to the order dated 26-08-2020 passed by the learned Additional Sessions Judge, Nanded in Criminal Revision No. 82 of 2020. The vehicle of the petitioner bearing Registration No. MH-26-BE-2821 came to be seized in Crime No.156/2020 registered by Mahur Police Station for the offences punishable under Sections 11(1) (c) & (g) of the Prevention of Cruelty to Animals Act. The application for release of the said vehicle was moved before the learned Magistrate. The application was allowed, however, the petitioner was directed to pay maintenance charges at the rate of Rs. 300/- per day towards the maintenance of seized cattle. Against the order of maintenance charges the revision petition was filed. By the order impugned, the

(2)

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learned Additional Sessions Judge, thought it fit to set aside the said condition of maintenance charges, however, directed the petitioner to furnish bank guarantee of Rs. 5,00,000/-

2. Admittedly the petitioner is not the owner of seized cattle nor he is accused in the crime in question. In the order impugned, the purpose for which, the petitioner is directed to furnish the bank guarantee is not specified. The order impugned to the extent of directing the petitioner to furnish the bank guarantee is thus, set aside.

3. The writ petition is allowed in above terms.

[N. R. BORKAR, J.]

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