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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2610 OF 2021

**IBRAHIM ISMAIL MAJEED ALIAS
PAPPA HADDI**

....APPLICANT

V/s.

THE STATE OF MAHARASHTRA

.....RESPONDENT

**Mr. A. S. Khandeparkar a/w Mr. Rohit P. Mahadik a/w Mr. Rushikesh
Bhagar i/b Khandeparkar and Associates for the applicant
Mr. Ajay Patil APP for the State**

CORAM : NITIN W. SAMBRE, J.

DATE: DECEMBER 16, 2021.

P.C.:

1] Applicant is seeking regular bail in C.R. No. 318/2021 registered with Bazarpeth Police Station, Thane City for Offences punishable under Sections 341, 353, 504 and 506 of the Indian Penal Code.

2] Prosecution case against the applicant is, applicant is in the business of illegal cow slaughtering.

3] When the police officials confronted the applicant at his place of business/residence, applicant has used physical force and threatened the public servants thereby deterring them from discharging their official duty.

4] Submissions of learned counsel for the applicant are, applicant is falsely implicated in the crime as police authorities were intending to demolish the illegal structure of the applicant. He would further claim that a complaint was already lodged against the police officials with Deputy Commissioner of Police about their high handed action. Counsel as such would urge that applicant is very much available for the purpose of investigation as he has deep roots in the society.

5] Learned APP submits that applicant's custody is necessary considering there are antecedents against him.

6] I have considered submissions.

7] Apart from criminal antecedents against the applicant, complaint dated 03/12/2020 and 09/09/2021 preferred by the applicant has nothing to do with what has been alleged in the F.I.R. The F.I.R. is dated 22/08/2021 whereas complaint which is relied on is about almost 8 months prior and 10 days subsequent to the registration of the offence.

8] There are specific attributions against the applicant in the F.I.R. wherein he has used physical force against the public servant to deter them in discharge of their official duty. No case for bail is made out. Application stands rejected.

9] Findings recorded herein are prima facie and are restricted to the decision of the present application.

[NITIN W. SAMBRE, J.]

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