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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1432 OF 2022

Azaroddin Shakil Pathan

APPLICANT

VERSUS

The State of Maharashtra and Another

RESPONDENTS

.....
Mr. Satej S. Jadhav, Advocate for the applicant
Mr. P. K. Lakhotiya, APP for respondent - State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 24th NOVEMBER, 2022

ORDER :

1. The applicant apprehends arrest in connection with Crime No. 194 of 2021 registered with Yusuf Wadgaon Police Station, District – Beed for the offence punishable under section 429 of the Indian Penal Code, under section 5-A, 5-B, 5-C, 5-D, 9-A, and 9-B of the Maharashtra Animal Preservation (Amendment) Act and under section 113 and 194 of the Motor Vehicle Act.
2. It is alleged in the FIR that Eicher vehicle No. MH-17 / BD 4876 was intercepted and it was found carrying beef, which is prohibited. On inquiry, the driver and cleaner disclosed name of the applicant as the owner of the said vehicle.

3. Heard learned advocate for the applicant and the learned Additional Public Prosecutor. Perused the papers of investigation.

4. It is the case of the applicant that he has handed over the said vehicle for plying to one Osman Khairddin Dafedar on 30th March, 2021 by a notarized stamp paper.

5. Perusal of the investigation papers reveals that the investigation is complete and charge sheet is filed. Nothing is to be recovered from the applicant. Custodial detention of the applicant, in the facts of the present case, is not warranted.

6. In that view of the matter, the application deserves to be allowed.

7. The application is allowed by confirming the interim order dated 11th November, 2022 on the condition that the applicant shall not indulge in similar activity. The applicant shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE