

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (ABA) NO.784 OF 2022**

Dr. Dinesh S/o Bahgwat Chauhan .Vs. State of Maharashtra, through P.S.O., P.S.  
Pauni, Tah. Pauni, Dist. Bhandara

**AND**

**CRIMINAL APPLICATION (ABA) NO.786 OF 2022**

Dr. Sudhakar Mahadeo Khune .Vs. State of Maharashtra, through P.S.O., P.S. Pauni,  
Tah. Pauni, Dist. Bhandara

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

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Court's or Judge's Order

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Shri M.P. Naidu, Advocate for the applicant.(in ABA No.784/2022)  
Ms Shamsi Haider, A.P.P. for the non-applicant/State. (in both cases)  
Shri P.A. Gode, Advocate for the applicant. (in ABA No.786/2022)

**CORAM : ANIL S. KILOR, J.**  
**DATED : 07/12/2022**

1. Heard.
2. The applicants are seeking pre-arrest bail in Crime No.272 of 2022, registered with Police Station: Pauni, District: Bhandara, for the offences punishable under Sections 420, 467, 468 and 471 read with Section 34 of the Indian Penal Code.
3. The prosecution story is that, the President of Baliram Gomata Sevabhavi Sanstha Sirsala received cattles seized by police in various crimes under cruelty to Animal Act. It is further alleged that the president of Sanstha illegally sold the cattles and represented that cattles are died. It is further alleged that president of Sanstha in collusion with veterinary doctors prepared bogus post mortem report

and death certificate. After detailed enquiry, above said offence has been registered against 17 persons.

4. In this case, after going through the First Information Report (FIR), it is alleged particularly against the applicants, it can be seen that without performing post mortem, the death certificates were issued and thereby, helped the co-accused to sell the cattle by creating a false picture about death of cattle.

5. The learned APP strongly opposes the application and submits that from the CDR, the tower location of the accused No.17 was verified and it was different at the time of post mortem as shown by the accused No.17. She therefore, submits that there is sufficient material against the applicants.

6. Considering the nature of allegations made against the accused Nos.16 and 17 and fact that in relation to such allegations the prosecution has already seized and recovered all the necessary document, I am of the opinion that the custody of the applicants are not necessary. Particularly, in view of the fact that the accused No.16 Dr. Dinesh Bhagwat Chauhan is in Government service and there is no possibility that he will not be available for trial. Similarly, the another accused No.17 Dr. Sudhakar Mahadeo Khune is a retired veterinary doctor and who worked in the said Sanstha for 25 days and thereafter, he resigned.

7. Thus, considering the nature of offence and the fact that the seven co-accused persons have already released on bail coupled with the fact that the relevant document and record is in custody of the Police, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in the event of arrest of the applicants in Crime No.272 of 2022, registered with Police Station: Pauni, District: Bhandara, for the offences punishable under Sections 420, 467, 468 and 471 read with Section 34 of the Indian Penal Code, the applicants shall be released on bail on furnishing P.R. Bond of Rs.15,000/- each with one solvent surety in the like amount for each of the applicants.
- c) The applicants in both cases are directed to attend the concerned Police Station on every Friday and Saturday between 10.00 a.m. to 12.00 noon, till filing of the charge-sheet.

Both criminal applications are **disposed of** accordingly.

**JUDGE**