

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

BAIL APPLICATION NO.441 OF 2023

**SHAIKH NAZIR SHAIKH SHABBIR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicants : Mr. Jadhav Satej S
APP for Respondent/State : Mr. K.S. Patil

...
CORAM : S.G. MEHARE, J.

DATED : MARCH 21, 2023

PER COURT:-

1. Heard learned counsel for the applicants and learned APP for the State.
2. The alleged stolen bullocks have been seized immediately after the alleged incident. Subsequently, the applicants were arrested. The applicants claim that they have been arraigned as there are antecedents to their discredit. However, they were not involved in the present crime.
3. Learned APP would submit that the offence is serious. They may not be granted bail.
4. Perused the papers. It has been alleged that three animals were taken in Xylo car. The police chased the car. The driver left the car and flee away. The stolen animals were immediately recovered. The charge sheet has been filed. Nothing is to be recovered from the applicants. In the facts and circumstances of

the case, the application deserves to be allowed. Hence, the following order is passed :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicants, Shaikh Nazir s/o. Shaikh Shabbir and Shaikh Sameer @ Chopra s/o. Shaikh Khalil Quraishi, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) each with one solvent surety in the like amount in connection with Crime No.281 of 2022, registered with Pishor Police Station, District Aurangabad for the offence punishable under Section 394, 395 r/w 34 of the Indian Penal Code, Section 5(a)(1) of Maharashtra Animal Preservation Act and Section 11(1)(c) of Prevention of Cruelty to Animal Act, on the conditions that they shall not tamper with the prosecution witnesses.
- (iii) The applicants shall not involve in similar crime.

(S.G. MEHARE, J.)