

Nikita

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.2088 OF 2023

Rizwan Abbas Qureshi ... Applicant

V/s.

The State of Maharashtra ... Respondent

Adv. Ganesh Gupta a/w Adv. Sahil Ghorpade i/b G. G.
Legal Association for the Applicant.

Mr. Pandurang H. Gaikwad, APP for the
State/Respondent.

CORAM : AMIT BORKAR, J.

DATED : 26 JULY, 2023

PC.:

1. Apprehending arrest in connection with C.R. No.386 of 2022 registered with Junnar Police Station, Pune for offences punishable under Sections 143, 145, 147, 148, 149, 307, 323, 324 and 506 of the Indian Penal Code, 1860, u/s 5 (a), 5(b), 9 and 11 of the Maharashtra Protection of Animal Act, 1995.

2. The applicant, therefore, filed application under Section 438 before the Sessions Judge which was rejected by order dated 26th May 2023.

3. On perusal of the record, it appears that the applicant is not named in the First Information Report. The FIR is dated 26th November 2022, on perusal of the FIR, the statements of eye-witnesses and injury certificates, prima facie it appears that no

specific role is attributed to the applicant. On perusal of record, it appears that the applicant is alleged to have been party of unlawful assets. In the statements of eye-witness, active role is attributed to other co-accused however, except presence of applicant, no active role is attributed. The applicant has no antecedents of bodily offence. The antecedents alleged are under the provisions of the Maharashtra Protection of Animal Act, 1995.

4. The charge-sheet is filed against other co-accused and, therefore, custodial interrogation of the applicant is not necessary. Hence following order.

- a) In the event of arrest in connection with C.R. No.386 of 2022 registered with Junnar Police Station, Pune for offences punishable under Sections 143, 145, 147, 148, 149, 307, 323, 324 and 506 of the Indian Penal Code, 1860, the applicant be released on bail on furnishing P.R. bond of Rs.50,000/- along with one or two sureties in the like amount.
- b) The applicant shall remain present before the Investigating Officer on 28th July 2023, 1st and 3rd August 2023, between 11.00 a.m. to 2.p.m..
- c) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;
- d) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence

collected or yet to be collected by the police;

e) The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

5. The Anticipatory Bail Application stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)