

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

ANTICIPATORY BAIL APPLICATION NO. 2674 OF 2021

1) Sayyed Imran Nazir
2) Faiyaz Ahmed Mohd. Akhatar
Adhikari @ Nanne ..Applicants
VS.
The State of Maharashtra and Anr. ..Respondents

Adv. Deepak Gautam i/b Adv. Prakash Vare for the Applicant.

Mr. S. V. Gavand, APP for the State.

PSI Dilip Sawant, Bandra Police Station.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 15, 2023

P.C. :

- 1.** Heard learned counsel for the applicants and learned APP for the State.
- 2.** This is an application for pre-arrest bail by the applicants, in connection with First Information Report (FIR) No. 14 of 2021 dated 06/02/2021, registered with Bandra Police Station, under sections 66(a) and 192 of the Motor Vehicles Act, 1988 read with Maharashtra Animal Preservation Act, 1995 read with as amended 2015 section 5(c)(d), 9(a).
- 3.** It is the case of the prosecution that on 29/09/2019 at

07.30 am the informant alongwith his colleagues reached Bismillah Beef Shop, at that time one of the auto-rickshaw was standing in front of the shop. On inspection of the auto-rickshaw, it was noticed that meat of an animal was lying inside alongwith skull, horns and skin. The auto-rickshaw was seized. From the shop meat/beef was seized. A sample was sent for analysis and upon reporting the offence has been registered. The seized articles were found to be beef and not meat.

4. The FIR came to be registered on 06/02/2021. The shop from where the beef was seized, was registered under the name of the applicant's mother. The auto-rickshaw belongs to applicant no. 2. The beef has been already seized. In my opinion, the custodial interrogation of the applicants is not necessary. The applicant has cooperated with the investigation. There are no criminal antecedents reported against applicants. The applicants can be granted pre-arrest bail. Hence, the following order.

ORDER

(a) In the event of arrest of the applicants- Sayyed Imran Nazir and Faiyaz Ahmed Mohd. Akhatar Adhikari @ Nanne, in connection with FIR

No. 14 of 2021, registered with Bandra Police Station, shall be released on bail, on his furnishing P.R. Bond of Rs.15,000/- each with one or more sureties in the like amount;

(b) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicants shall not tamper with evidence;

(c) The applicants shall report to the Investigating Officer on 20/02/2023 and 21/02/2023 between 11.00 am and 01.00 pm and thereafter, once in a month i.e. on every first Monday, between 11.00 am and 1.00 pm;

(d) The applicants shall cooperate with the investigation.

5. The application is disposed of.

(M. S. KARNIK, J.)