



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

5 ANTICIPATORY BAIL APPLICATION NO. 315 OF 2024

MUDSSIR MUBIN KURESHI

VERSUS

THE STATE OF MAHARASHTRA & ANOTHER

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Advocate for the applicant : Mr.M.P.Kale h/f.Mr.S.A.Ambad
APP for Respondent-State : Mrs.M.L.Sangit

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CORAM : ARUN R. PEDNEKER, J.

DATE : 11.11.2024

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is apprehending arrest in connection with Crime No. 33/2024 registered at Ausa Police Station, Tq.Ausa, District Latur, for the offences punishable under sections 429, 34 of the Indian Penal Code and Sections 5, 5 (b) and 9 of the Maharashtra Animal Preservation Act.

3] This Court, by order dated 26th March, 2024, has protected the applicant by granting interim anticipatory bail and the applicant was directed to co-operate in the investigation.

4] The learned counsel for the applicant submits that he has been co-operating in the investigation.

5] The learned APP submits that co-accused, namely, Asif Shaikh during custody has stated that he sold out Gowansh Cow to the present applicant. The head, skin and other parts of the body of the cow have been recovered from other places, as such, further investigation is required in the matter. The learned APP has relied upon the judgment in the case of **Samir Kayyum Qureshi Vs. State of Maharashtra** reported in **Anticipatory Bail Application No.259 of 2024** decided on 31.01.2024 wherein this Court has rejected the anticipatory bail application of the persons who were found carrying cow meat holding that the custodial interrogation of the accused is necessary to find out the modus operandi and the matter of commission of offence as well as to find out his other associates involved in the offence.

6] However, in the instant case the only evidence that is pointed out is the statement of co-accused during custody that he sold out Gowansh Cow to the present applicant. No further incriminating evidence is found against the applicant. The charge sheet is filed in the matter. The earlier order dated 26.03.2024, granting anticipatory bail to the applicant, stands confirmed. Anticipatory Bail Application is disposed of accordingly.

7] Pending Criminal Application, if any, stands also disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC