



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

BAIL APPLICATION NO.1056 OF 2024

Jignesh S/o Sharad Kankhare,
Age-25 years, Occu:Private Service
at Goshala, R/o-Chopda, Jalgaon.

...APPLICANT

VERSUS

- 1) The State of Maharashtra,
Through Police Inspector
of Police Station, Jalgaon,
- 2) Shaikh Asgar Shaikh Hameed,
Aged-Major, Occu:-,
R/o-Chopda, Jalgaon.

...RESPONDENTS

...
Mr. Suresh M. Kulkarni Advocate for Applicant.
Ms. P.R. Bharaswadkar, A.P.P. for Respondent No.1 – State.
...

CORAM: S.G. MEHARE, J.

DATE : 30th JULY 2024

ORDER :

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No. 149 of 2024 registered with Jalgaon Police Station, District-Jalgaon, for the offences punishable under Sections 307, 341, 143, 147, 323, 427, 504, 506, 109 read with Section 148 of the Indian Penal

Code and Section 37(1)(3) read with Section 135 of the Maharashtra Police Act.

3. Learned counsel for the applicant would submit that the applicant is an active member in the mission of saving the cows from slaughtering. The applicant had lodged cases against the persons who took the animals for slaughtering. On the day of the incident, the applicant was not present at the spot. However, the complainant knew the applicant. He is the witness in another case; therefore, false allegations have been made against him. No weapons were used. Though there are antecedents to his discredit, he has no concern about this crime. In one of the crimes, he has been acquitted. He has been languishing in jail for the last two months. Nothing has to be recovered from him. Hence bail may be granted.

4. Learned APP states that the prosecution could not collect the evidence that the applicant was present on the spot of the incident in this crime. However, the learned APP submits that no one can take the law into their own hands. If any person wants to save the cows from slaughtering, his job is simply to report to the police but not to cause injuries to any person who takes the cows for slaughtering. There are allegations of overt act by the applicant. Hence, he does not deserve bail.

5. Perused the papers. Though serious allegations have been levelled against the applicant, his presence on the spot of the incident is doubtful. One thing is clear: he is involved in the mission of saving cows from slaughter. If any movement is running in the interest of society, the persons involved in such movement should only report the matter to the police. They are not supposed to take the law into their own hands and cause injuries to the person they want to act against so-called offenders. Many young boys seem innocently spoiling their lives by involving in such crimes. Most of the young boys are involved in such matters and are from the poorest strata. They do not know the consequences of the crime registered against them. They may lose employment opportunities in the future. They are influenced by some thoughts while implementing the mission, which is not in their best interest. The persons involved in this movement should understand the object of the movement and their role. But unfortunately, the activists of the movement seem to be aggressive. Heads of the movements should avoid the involvement of such boys in the crime so their lives may not be spoiled. Applicant should also take a lesson henceforth. This movement is only to save the cows and not the war. Everything could be done peacefully, and that is also possible. The Court is hopeful that the heads of the mission would take note of these

observations, at least to save the future of the youngsters who become aggressive and get involved in crime, ultimately spoiling their lives.

6. As far as the merit of the case is concerned, the prosecution has no concrete evidence to show the presence of the applicant on the spot of the incident. In one of the crimes, he has been acquitted. The role of the applicant in the crime for which he seeks bail has to be considered. Considering his role and material against him, he deserves bail. Hence, the following order:-

ORDER

- i) Bail Application stands allowed.
- ii) The applicant – Jignesh S/o Sharad Kankhare be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in the above crime, on the condition that:-

(a) The applicant should not tamper with the prosecution witnesses.

(b) The applicant should attend the trial on each and every effective date.

(c) The applicant shall not cause injury to the persons against whom the action for slaughtering the cows or animals under the Prevention of Cruelty to Animals Act is to be taken.

(d) Henceforth, the applicant should simply report the matter to the police and avoid indulgence/involvement in crimes.

[S.G. MEHARE, J.]

asb/JULY24