



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

951 ANTICIPATORY BAIL APPLICATION NO. 1576 OF 2024

Shahebz Shahed Qureshi

....Applicant

VERSUS

The State of Maharashtra & another

.....Respondents

.....

Mr. Sohail Subhedar, Advocate holding for Mr. P. P. Giri, Advocate for Applicant.

Mr. B. B Bhise, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 18th OCTOBER, 2024.

PER COURT :

1. Applicant apprehends arrest in connection with Crime No. 178/2024 registered with Biloli Police station, Dist. Nanded for the offences punishable under Sections 5, 5-A, 9, 10 of Preservation of Animals Act and under Section 4 read with Section 25 of the Indian Arms Act.

2. First Information Report is lodged by the police personnel who claims that a secret information was received with regard to sell of cow flesh at Idgah Galli, Biloli. The place was raided. Before the police personnel could reach the spot, the Applicant ran away from

the spot by dropping weapon in his hand at the spot itself. From the spot, 50 kgs of cow flesh was seized so also two knives.

3. Learned counsel for the Applicant submits that Applicant is aged about 20 years with no criminal history behind him. It is his further submission that even it is accepted for the sake of arguments that there were two knives with him, if the occupation of the Applicant is considered as butcher, holding of these weapons is quite justified. It is further submitted that there is no report of Chemical Analyser to hold that the flesh which was seized was cow flesh.

4. Learned APP opposed the application by drawing attention of the Court to the First Information Report, seizure panchanama as well as statement of police personnel. Admittedly, nothing is to be recovered at the instance of the Applicant. Recovery of knife as well as flesh is done at the spot itself. There is no report of the Chemical Analyser indicating that the flesh which was seized was cow flesh. Having regard to these facts, application is allowed. Hence, the following order :-

ORDER

(i) In the event of arrest of applicant in connection with 178/2024 registered with Biloli Police station, Dist. Nanded for the offences punishable under Sections 5, 5-A, 9, 10 of Preservation of Animals Act and under Section 4 read with Section 25 of the Indian Arms Act, he be released on bail on furnishing PR Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) with one surety in the like amount.

(ii) He shall attend the concerned police station once in a week.

(iii) He shall not contact the witnesses directly or indirectly.

(iv) He shall not interfere with the evidence in any manner whatsoever.

(v) He is further directed to cooperate the investigating agency for further investigation.

(vi) Learned APP to communicate this order to the concerned Investigating Officer.

(R. M. JOSHI)
Judge