



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 923 OF 2025

Omkar Tukaram Waghmare
VERSUS
The State Of Maharashtra

- Mr. P. P. Giri, Advocate for the Applicant
- Mr. A. V. Lavate, APP for the Respondent/State

CORAM : ADVAIT M. SETHNA, J
DATE : 18 JUNE 2025

P.C.:

1. Heard the learned Advocates for the parties for some time.

2. The proceedings arise out of the C.R. No. 258/2024 in FIR dated 26 October 2024 lodged at 16.57 hours by Himayatnagar Police Station, Dist. Nanded. The sections invoked are 109, 121(1), 3(5), 324(4) of the Bharatiya Nyaya Sanhita, 2023 ("BNS"), 11(1)(a), 11(1)(e), 11(1)(f), 13, 5(a), 5(b) of the Prevention of Animal Cruelty Act, 1960 and Sections 47(a), 48, 50, 56(c) of the Transport of Animals Rule, 1978 and Section 125 of the Maharashtra Motor Vehicle Rules, 1989.

3. Mr. Giri, learned Advocate, would submit that the accused person, namely, Omkar Tukaram Wahgmare is not named in the FIR. Such fact is not controverted by the learned APP for the State, who would request for some time on the ground that he does not have instructions and/or the papers today.

4. Be that as it may, a bare perusal of the FIR would *prima facie* indicate that the allegations are general in nature. The attention of the Court is also drawn to an order dated 18 December 2024, by which all four accused persons named in the FIR (at page 25) have been enlarged on regular bail by this Court.

5. Considering the above, the application deserves some protection. Accordingly, the following *ad-interim* order is passed:

O R D E R

- (i) Until adjourned date of hearing, in the event of arrest of the applicant in connection with C.R. No. 0258/2024 registered with Himayatnagar Police Station, Dist. Nanded for the offences punishable under Sections 109, 121(1), 3(5), 324(4) of the Bharatiya Nyaya Sanhita, 2023 ("BNS"), 11(1)(a), 11(1)(e), 11(1)(f), 13, 5(a), 5(b) of the Prevention of Animal Cruelty Act, 1960 and Sections 47(a), 48, 50, 56(c) of the Transport of Animals

Rule, 1978 and Section 125 of the Maharashtra Motor Vehicle Rules, 1989, the applicant is directed to be released on bail on their furnishing PR bond in the sum of Rs. 20,000 (Rupees Twenty Thousand Only) with one or more sureties in the like amount.

- (ii) The Applicant shall cooperate with the investigation and shall attend the concerned police station on every Monday at 11.30 a.m.
- (iii) The Applicant shall furnish details of residential address and other contact details such as mobile number etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately informed to the concerned police station.
- (iv) The Applicant shall not leave the jurisdiction of the Court without prior permission/order of the Court, until further orders.
- (v) The Applicant shall not influence the witness/s and/or tamper evidence in any manner whatsoever.

6. Learned APP to communicate this order forthwith to concerned police station.

7. The protection as above granted to the Applicant shall continue until the adjourned date of hearing.

8. Place the present application for further consideration on 09 July 2025.

(ADVAIT M. SETHNA, J.)