

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1580 OF 2025**

1. Aslam Hasan Duste
2. Khalil Gafoor Duste
3. Sharad Bhimrao Aware
4. Yusuf Abdul Kadir Karjekar
5. Altaf Liyakat Sayyed
6. Ali Mahamud Karjekar
7. Ashraf Abbas Raut
8. Hasan Abdulla Karjekar
9. Imtiyaz Liyakat Sayyed
10. Liyakat Mira Sayyed

...Applicants

VERSUS

The State of Maharashtra

...Respondent

AND

CRIMINAL BAIL APPLICATION NO. 1879 OF 2025

Sameer Salim Sayyed

...Applicant

VERSUS

The State of Maharashtra

...Respondent

....

Mr. Amin Solkar a/w Mr. Misbaah Solkar & Mr. Gaurav Shenoy,
Advocate for the Applicant.

Mr. Gaurav Parkar a/w Shantanu Kadam & Mr. Wahid Khot,
Advocate for the Applicant in BA/1879/2025.

Mr. C. D. Mali, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 30.04.2025.

P.C.:

1. As both these applications for bail are arising out of one and the same crime, they are being disposed of by this common order.

2. The applicants came to be arrested in Crime No. 87

of 2025 registered at Khalapur Police Station, Dist- Raigad for the offences punishable under Sections 109, 132, 121(1), 118(1), 189, 189(2), 189(3), 189(4), 189(5), 190 & 191(1), of the Bhartiya Nyaya Sanhita, 2023 and Sections 9 & 11 of the Maharashtra Animal Preservation Act, 1976.

3. On the date of incident which took place on 12.03.2025 the police were informed that in a field near UK's Resort, there is a tempo carrying some cattle and their activities seemed suspicious. Thereafter, at 11:25 pm, PI Sachin Pawar, Khalapur Police Station received information from one Prashant Latke (*Gaurakshak*) about an interception of the said tempo transporting two bullocks. Upon reaching the site at 11.45 pm, the police team noticed a strong smell indicative of cattle meat and upon inspection, they found that three bullocks and one cow were tied separately inside a shed. Nearby the said spot, there was a freshly dug pit containing meat of slaughtered cattle. It is alleged that they seized the said meat. It is alleged that at about 12.45 am, while the police were transporting the cattle, which were tied inside the shed to nearby Gaushala, a mob of 100-150 people armed with sticks and stones from Hal Khurd village unlawfully gathered on the Mumbai-Pune Highway. The mob included the present applicants, they obstructed the police from transporting the said cattle. The police tried to de-escalate the situation but the mob verbally abused them as well as resorted to stone-pelting and assaulting the *Gaurakshaks* and police personnels. They also damaged an Innova car parked nearby. It is alleged that several persons including

Police personnels sustained bodily injuries.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The learned counsel for the applicant submits that the applicants are agriculturists. It is submitted that they have nothing to do with the alleged crime. In addition to it, the learned counsel for the applicant in Criminal Bail Application No. 1879 of 2025 submits that at the time of alleged incident the applicant was in Mumbai and to show the said fact, he has produced the CCTV footage before learned Magistrate and made an application to inquire into it.

6. On the other hand, the learned APP for the Respondent/State submits that the applicants are involved in serious crime of rioting and attempt to commit murder. The learned APP submits that there are independent eye witnesses to the incident. It is submitted that the investigation is still going on and therefore the applicants may not be released on bail.

7. According to the applicant in Criminal Bail Application No. 1879 of 2025, he was in Mumbai at the time of alleged incident. The fact that he has filed an application before the Magistrate to inquire into the said fact and produced the CCTV footage in support of it, is not disputed. Even otherwise it is not disputed that the applicants are agriculturists and they do not have any other criminal antecedents. Considering the overall facts and circumstances of the case, I am inclined to release the

applicants on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicants be released on bail in Crime No. 87 of 2025 registered at Khalapur Police Station, Dist- Raigad for the offences punishable under Sections 109, 132, 121(1), 118(1), 189, 189(2), 189(3), 189(4), 189(5), 190 & 191(1), of the Bhartiya Nyaya Sanhita, 2023 and Sections 9 & 11 of the Maharashtra Animal Preservation Act, 1976 on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with one or two sureties in the like amount.

C] The applicants shall attend the concerned police station once in a month, i.e., on first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

8. Applications stand disposed of accordingly.

(N. R. BORKAR, J.)