

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1908 OF 2025**

1.Muzzam Abdul Latif Mandlekar
2.Murtuza Yunusmiya Metkar ...Applicants

VERSUS

The State of Maharashtra ...Respondent

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Mr. Ganesh Gupta a/w Mr. Madan Khansole, Mr. Sahil Ghorpade, Mr. Surya Gupta, Ms. Priyanka Rathod, and Mr. Jagrut Patil Advocate for the Applicant.

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

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CORAM : N. R. BORKAR, J.
DATE : 08.05.2025.

P.C.:

1. This is an application for regular bail.
2. The learned counsel for the applicant, on instructions, seeks leave to withdraw the present application qua the applicant No.1 -Muzzam Abdul Latif Mandle with liberty to file a fresh application before the Sessions/Trial Court.
3. The applicant No.2 Murtuza Yunusmiya Metkar 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.

4. 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.

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

6. The bail is sought on the ground of parity. In support of said submission the learned counsel for the applicant

has placed on record copy of order dated 30.04.2025 in Criminal Bail Application No.1580 of 2025. The learned counsel for the applicant further submits that the applicant is agriculturist and there are no other criminal antecedents.

7. On the other hand, the learned APP for the Respondent/State submits that the applicant is 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 applicant may not be released on bail.

8. I have perused the order dated 30.04.2025 in Criminal Bail Application 1580 of 2025. The applicant appears to be similarly circumstanced. Even otherwise it is not disputed that the applicant is agriculturist and he does not have any other criminal antecedents. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is partly allowed.

B] The application qua the applicant No.1.Muzzam Abdul Latif Mandle is disposed of as withdrawn with liberty to file a fresh application before the Sessions/Trial Court. If such application is filed the Sessions/Trial Court shall decide it expeditiously.

C] The applicant Murtuza Yunusmiya Metkar 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) with one or two sureties in the like amount.

C] The applicant 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.

9. Application stand disposed of accordingly.

(N. R. BORKAR, J.)