

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Bail Application No.3513 of 2025

Amjad Khan Mohammed Hasan

Age: 34 years, Occ: Labour,

R/o. Sr. Islampura, Near Kasaiwada Masjid,

Malegaon, Tal. Malegaon,

Dist: Nashik.

(Presently in Nashik Central Prison)

... Applicant

versus

State of Maharashtra

Through Manmad Police Station,

Malegaon, Dist: Nashik

... Respondent

Mr Mahendra Sandhyanshiv, for the applicant.

Mr BB Kulkarni, APP, for the respondent/ State.

ASI Balu Vishwanath Sangle, Manmad City Police Station.

Coram: R.N. Laddha, J.

Date: 4 November 2025.

P.C.:

By this application, the applicant seeks bail in connection with CR No.161 of 2025, registered at Manmad City Police Station, Nashik Rural, for offences punishable under Sections 109, 132, 121(1), 121(2), 281, 291, 325, 324(4), 241(B) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023, Section 11(d) of the Prevention of Cruelty to Animals Act, 1960, Section 5-A

of the Maharashtra Animal Preservation Act, 1995, and Sections 184, 134(a), 134(b) and 177 of the Motor Vehicles Act, 1988.

2. As per the contents of the First Information Report (FIR), the incident in question transpired during the early hours of 10 March 2025, at approximately 5:00 a.m., when Police Constable Bapu Khandekar, attached to the patrolling unit and deployed on official duty in a police jeep, was stationed at the Malegaon Naka crossroad in Manmad. At the said location and time, PC Khandekar observed a Mahindra Pickup Cargo vehicle bearing registration number MH-17-AG-1773 proceeding at an unusually high speed in a swerving manner towards Nandgaon Road. The said vehicle was being pursued by an individual riding a motorcycle. Upon intercepting the motorcyclist, PC Khandekar was informed that the pickup van was allegedly transporting cattle in contravention of applicable laws, with the intent to slaughter.

3. Acting upon the said information, PC Khandekar initiated the pursuit of the pickup van in his official police vehicle and succeeded in overtaking it near Nagapur. Upon signaling the driver of the pickup van to halt, the said driver attempted to evade apprehension by deliberately ramming the pickup van

into the rear of the police jeep multiple times. As a consequence of such repeated impact, the police jeep lost control, collided with the road divider, and overturned. The pickup van also overturned during the said sequence of events. The complainant sustained grievous injuries in the said accident. The driver and co-driver of the pickup van also suffered injuries. Upon inspection, it was found that seven cattle were crammed into the overturned pickup van, all of whom sustained injuries. Immediately following the accident, a white-coloured Creta vehicle arrived at the scene, allegedly trailing the pickup van. The injured accused No.2 and accused No.3 were reportedly assisted into the said Creta vehicle by its occupants and absconded from the scene. Accused No.4, Sarfraj, is alleged to have been present in the Creta along with two unidentified associates, all of whom are currently absconding. Upon receipt of information, additional police personnel arrived at the scene and facilitated medical assistance for the injured complainant. Subsequently, the FIR was registered. The pickup van was seized, and the injured cattle were entrusted to the custody of a local Goshala. During the course of the investigation, the present applicant, who is the registered owner of the pickup van, was traced and apprehended on the midnight of 11 March 2025.

4. Mr Mahendra Sandhyanshiv, learned Counsel appearing on behalf of the applicant, asserting the innocence of the applicant, submits that the applicant is the owner of the said vehicle allegedly used in the crime and that the applicant had rented out the said vehicle to the accused Nos.2 and 3. The learned Counsel submits that the applicant was not present in the vehicle when the crime was taking place and there is no material connecting the applicant to the present crime other than being the owner of the said vehicle. The learned Counsel further submits that the applicant was in contact with the accused No.2, who was the driver of the vehicle, as the applicant had rented out the vehicle to the co-accused. The learned Counsel further submits that the investigation in the present matter has been completed, the charge sheet has been filed, and the vehicle allegedly involved has already been seized by the investigating agency. Nothing remains to be recovered or discovered from the applicant. The learned counsel submits that although the charge sheet has been filed, the charges are yet to be framed, and that further incarceration of the applicant serves no purpose. The learned counsel also submits that the applicant be enlarged on bail on the principle of parity, as accused No.2, who was the driver of the vehicle at the time of the incident, has been granted bail by this Court vide order dated 13 October 2025, and the accused No.3 has been granted

anticipatory bail by the learned Sessions Court. The learned Counsel lastly submits that the applicant has no criminal antecedents and is ready and willing to comply with any condition that this court may deem fit to impose, including the condition of not entering the territorial jurisdiction of the Manmad Police Station until the conclusion of the trial.

5. Mr BB Kulkarni, the learned Additional Public Prosecutor representing the respondent/ State, has strenuously opposed the applicant's request for bail and submits that the alleged offence is of a grave and serious nature. The learned APP submits that the applicant, in collusion with the co-accused, attempted not only to transport the cattle illegally to a slaughterhouse but, while committing the said offence, also attempted to kill the police officers who tried to stop the said illegal transport. It is further submitted that the applicant was in constant contact with the co-accused present in the vehicle at the time of the incident which clearly indicates his involvement in the present offence. The learned APP also expresses concern about potential evidence tampering and witness influence if the applicant is released on bail.

6. This Court has given anxious consideration to the rival submissions canvassed across the Bar and perused the record. It

appears from the records that the applicant is not named in the FIR and has been implicated at a subsequent stage of the investigation mainly on the premise that the vehicle allegedly used in the commission of the offence stands registered in his name. The FIR attributes the occurrence to the deliberate ramming of vehicles, resulting in the overturning of both the police jeep and the pickup van. However, the spot panchnama and the accompanying photographic evidence indicate that only the pickup van was found overturned at the site. The record further reflects that the alleged transportation of cattle was carried out, purportedly, under the instructions of accused No.4, Sarfaraz. The Call Detail Record (CDR) analysis of accused No.4 does not disclose any telephonic contact or communication with the present applicant, and there exists no material on record specifying the applicant's mobile number to substantiate such an inference.

7. It is also pertinent to note that the co-accused, driver and cleaner of the said pickup van, have been released on bail. The vehicle in question has been seized, and no further recovery or discovery remains to be effected from the applicant. The investigation in this matter has concluded, and the charge sheet has also been duly filed before the competent Court. The applicant has been incarcerated since 11 March 2023, and the

trial has yet to commence. The prosecution has proposed examining thirteen witnesses, and the trial proceedings will likely consume considerable time. The applicant does not possess any prior criminal antecedents, and it would be just and proper to impose appropriate conditions to ensure that the liberty so granted is not misused.

8. In view of the aforesaid circumstances, and taking into account the settled principles governing the grant of bail particularly the absence of direct involvement, completion of investigation, and the principle of parity with the co-accused, this Court is of the opinion that the applicant has made out a case for the grant of bail. Accordingly, the following order is passed:

Order

(i) The applicant shall be released on bail in CR No.161 of 2025, registered at Manmad City Police Station, Nashik Rural, upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant, either himself or through any other person, shall not tamper with the evidence or influence

witnesses.

(iii) The applicant shall regularly attend and cooperate with the trial Court for the expeditious disposal of the case.

9. The application stands disposed of accordingly.

(R.N. Laddha, J.)