



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.498 OF 2025

(Mohammad Shakil Mohammad Shabbir and anr. Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. N. Qureshi, Advocate for the applicants.
Mr. V.A. Thakare, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JULY 28, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.135 of 2025 registered with police station Mana, District Akola for the offence punishable under Sections 303(2) of the Bharatiya Nyaya Sanhita, 2023, the applicants approached this Court for grant of pre-arrest bail.

2. Learned Counsel for the applicants submitted that due to the previous rivalry, the present applicants were alleged to have committed the theft of cattle. On the basis of the said report, police have registered the crime. He submitted that merely on suspicion, this FIR is lodged against the present applicants. As far as the custodial interrogation is concerned, which is not required and prays for the confirmation of the ad-interim protection.

3. Learned APP strongly opposed the said application on the ground that there are criminal

antecedents against applicant No.2. Previous offences are registered against applicant No.2 are of a similar nature and allegations in the previous offences that he commits a theft of the cattle for slaughtering. Considering the nature of the allegation levelled in a previous offences his liberty of granting anticipatory bail deserves to be rejected.

4. On hearing both sides and on perusal of recitals of the FIR as far as applicant No.1 is concerned admittedly, there are no criminal antecedents but as far as the applicant No.2 is concerned his involvement in the similar type of the offences is revealed. There are statements of the witnesses which discloses his involvement in the alleged offence. Considering the same, prayer of applicant No.2 for grant of anticipatory bail deserves to be rejected. Accordingly, I proceed to pass the following order:

(i) The application is partly allowed.

(ii) The prayer of applicant No.2 – Zameer Ahmad Mumtaz Ahmad Qureshi for grant of anticipatory bail is hereby rejected.

(iii) In the event of the arrest, the applicant No.1 - Mohammad Shakil Mohammad Shabbir in connection with Crime No.135 of 2025 registered with police station Mana, District Akola for the offence punishable

under Sections 303(2) of the Bharatiya Nyaya Sanhita, 2023, be released on anticipatory bail, on executing PR. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iv) The applicant No.1 shall attend the concerned police station once in a week i.e. on every Sunday between 10.00 a.m. and 01.00 p.m., till filing of the charge-sheet and shall cooperate with the investigating agency.

(v) The applicant No.1 shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

5. The contravention of any of the condition would lead to the cancellation of bail.

6. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*