



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 900/2025

Mohammad Mubassir @ Chand s/o. Sheikh Shabbir
Vs.
State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. S. Ali, Advocate for the Applicant.
Mr. V. A. Thakare, A.P.P. for the Non-applicant/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.
DATED : 24/12/2025.

. Heard.

2. The applicant has apprehension of arrest in Crime No.616/2025 registered with Police Station Kapil Nagar, District Nagpur for the offences punishable under Sections 303(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The allegations made against this applicant are that, initially the crime was registered against unknown persons about the theft of Cow. They have stolen the said Cow. From the CCTV footage, the crime is disclosed. During investigation, the vehicle, which was used in commission of the offence, was seized, which was owned by the relative of one of the accused. During the investigation, it revealed that, the Cow was handed over to this applicant. The learned Counsel for the applicant has stated that, the statement is made by the co-accused and on the basis of such statement, the crime is registered against this applicant. He has relied on the order of this Court in the case of *Sheikh Farukh s/o. Nur Sheikh Vs. The State of Maharashtra* [Criminal Application (ABA)

No.720/2025], wherein this Court has granted anticipatory bail to the person as the name of the applicant was disclosed by the co-accused, which is inadmissible. In this case, the co-accused has disclosed the name of this applicant and, therefore, the same criteria will be available to this case. Hence, prayed to release the applicant on bail.

4. The learned A.P.P. opposed the application stating that Cow was stolen and during investigation, the name of this applicant is revealed and the custody of Cow was handed over to this applicant. There are other crimes registered against this applicant. The custody of this applicant is necessary to find out where he kept the Cow. The statement of witnesses shows his active participation in the commission of offence. Hence, prayed to reject the application.

5. Heard the learned Counsel for the applicant and the learned A.P.P. for the State.

6. At the night time, Cow was stolen and it is alleged that it was handed over to this applicant. To recover the possession of Cow and to trace out where he has kept the Cow, the custodial interrogation of this applicant is necessary.

7. Considering the antecedents and as the witnesses have stated about his role, the application is rejected.

(MRS. VRUSHALI V. JOSHI, J.)