

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.398 OF 2026

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Mujahid Mohammad Sadique *alias* Mukwa ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Akshay Bankapur, for the Applicant.

Ms. G. P. Mulekar, APP, for the Respondent-State.

Head Constable Tushar Popat Ahire, Malegaon Taluka Police Station, Nashik Rural, present.

CORAM: MADHAV J. JAMDAR, J.

DATED: 12 FEBRUARY 2026

PC:-

1. Heard Mr. Bankapur, learned Counsel appearing for the Applicant and Ms. Mulekar, learned APP for the Respondent-State of Maharashtra.

2. By the present Anticipatory Bail Application filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, the Applicant is seeking pre-arrest bail in connection with CR No.716 of 2025 registered with the Malegaon Taluka Police Station, Nashik Rural, for the offences punishable under Section 11 of the

Prevention of Cruelty to Animals Act, 1960 and Sections 5, 5A and 9 of the Maharashtra Animal Preservation Act, 1976.

3. Mr. Bankapur, learned Counsel for the Applicant, submits that the Applicant's name is not mentioned in the FIR. The only role attributed to the Applicant, as recorded in the Order dated 19th January 2026, by which the learned Additional Sessions Judge, Malegaon, rejected the Anticipatory Bail Application, is that the Applicant purchased the cattle from Accused No.1 and that the cattle were being carried for slaughter.

4. It is the submission of Ms. Mulekar, learned APP, for the Respondent-State, that the offence is very serious. A Co-Accused has named the Applicant. The Applicant has one antecedent of a similar nature and, therefore, the Anticipatory Bail Application be rejected.

5. Mr. Bankapur, learned Counsel for the Applicant, submits that the antecedent has been disclosed in the Anticipatory Bail Application and that, in the said antecedent, the Applicant has been granted pre-arrest bail.

6. Mr. Bankapur, learned Counsel, further submits that the maximum punishment is five years and that the Applicant will cooperate with the investigation.
7. Accordingly, although case is made out for grant of anticipatory bail, stringent conditions are required to be imposed.
8. In view thereof, the following Order is passed:

ORDER

- (a) In the event of arrest of the Applicant - Mujahid Mohammad Sadique *alias* Mukwa, in connection with CR No.716 of 2025 registered with the Malegaon Taluka Police Station, Nashik Rural, he be released on bail on his furnishing PR Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the concerned Police Station on 23rd February 2026 and 24th February 2026 between 11:00 am to 02:00 pm and thereafter once in a week i.e. every Sunday between 11:00 am to

02:00 pm, till filing of the Charge-sheet and shall cooperate with the investigation.

- (c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the learned Trial Court/Sessions Court.

9. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]