



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

CRIMINAL APPLICATION [B.A.] NO. 1271 OF 2025

Khurshid Imran Jaat

-- VERSUS --

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. A.G. Hunge, Advocate for the Applicant.

Mr. A.A. Madiwale, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 12, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.437/2024 for the offences punishable under Sections 109, 281, 325, 3(5), of the Bharatiya Nyaya Sanhita, 2023, (BNS), Sections 9(A), 5(c) of the Maharashtra Animal Preservation Act, 1976, under Section 11(1)(d) of the Prevention of Cruelty to Animals Act, 1960, Section 119 of Maharashtra Police Act, 1951, and Sections 183, 184, 177 of the Motor Vehicle Act, registered with Akot Rural Police Station, District Akola.

3. The allegation against the present applicant is that on 02/10/2024, he ran his vehicle over a police official when he was asked to stop the vehicle. The vehicle was illegally carrying animals / livestock. Subsequently, the vehicle was chased and

stopped and all the three accused persons were apprehended.

4. The learned counsel appearing for the applicant submits that two co-accused have been granted bail by this Court. He further submits that there is no evidence to show that, on the day of incident, who was driving the vehicle and therefore, the allegations of Sections 109 cannot be attributed to the present applicant, therefore, prayed to grant bail.

5. On the other hand, the learned A.P.P. submits that the present applicant was driving the vehicle which could be gathered from the First Information Report. He further submits that the other co-accused persons who have been granted bail, remained absent during the trial, and therefore, till today, charges are not framed. There is ample of evidence against the applicant that he ran the vehicle over the police personnel. He further submits that the other provisions of the Bharatiya Nyaya Sanhita, 2023, (BNS), the Maharashtra Animal Preservation Act, 1976, the Prevention of Cruelty to Animals Act, 1960, the Maharashtra Police Act, 1951, and the Motor Vehicle Act, are also invoked. Lastly, it was submitted that there is no merit in the application and same be rejected.

6. Admittedly, from the entire charge-sheet, the learned A.P.P. was not able to point out who was driving the vehicle. He fairly submits that there is no evidence to that effect that out of the three accused persons who was driving the vehicle. In the absence of supportive material, so also the investigation is complete and charge-sheet is filed, and the applicant is in jail since 02/10/2024, I am inclined to grant bail. Hence, the following order:-

ORDER

(i) The Criminal Application is **allowed;**

(ii) The applicant/accused (Khurshid Imram Jaat) be released on regular bail in connection with Crime No.437/2024 registered with Akot Rural Police Station, for the offences punishable under Sections 109, 281, 325, 3(5), of the Bharatiya Nyaya Sanhita, 2023, (BNS), Sections 9(A), 5(c) of the Maharashtra Animal Preservation Act, 1976, Section 11(1)(d) of the Prevention of Cruelty to Animals Act, 1960, Section 119 of Maharashtra Police Act, 1951, and Sections 183, 184, 177 of the Motor Vehicle Act, on his furnishing a P.R. bond of Rs.25,000/- with one surety in the like amount;

(iii) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence;

(iv) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency;

(v) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.

7. The observations of this Court are *prima facie* in nature. The Trial Court shall not be influenced by the observations of this Court and the observations are restricted to this bail application only.

[M.M. NERLIKAR, J]