

GJPM010008952026



=====

**IN THE COURT OF 6th ADDITIONAL SESSIONS JUDGE,
PANCHMAHALS AT GODHRA**

=====

CRIMINAL MISC. APPLICATION No. 284/26

Exh. _____

Applicant :

Mohammad Aarif Abdul Razak Samol
Age : 31 Years, Occupation : Labour Work,
Residing at :
Muslim Society, Vejalpur Road,
Taluka : Godhra, District : Panchmahals.

V e r s u s

Opponent :

The State of Gujarat, Gandhinagar.

Appearance :

=====

Mr. S. A. Saiyed	:	Ld. Advocate for the applicant
Mr. J. A. Pathak	:	Ld. Sp. PP for the opponent

=====

Application for Regular Bail u/s. 483 of BNSS

=====

J U D G M E N T

1. The present regular bail application under the provision of Section 483 of BNSS is preferred by the applicant with respect to offence registered at Godhra Town 'B' Division Police Station vide CR No. 11207002250717/2025 for the offence punishable under Sections 5(1), 6(B), 8(2), 8(4) & 10 of the of the Gujarat Animal Preservation (Amendment) Act 2017, Section 325 of the BNS and Section 119 of the Gujarat Police Act.
2. The Ld. Advocate appearing on behalf of the applicant has submitted that the applicant came to be arrested in connection with this offence on 03.01.2026 and since then he is in judicial custody. It is further submitted that the applicant is innocent and has been falsely implicated in the present offence. It is further submitted that the applicant had previously filed an anticipatory bail application vide CrMA No. 954/2025 before this Court, which came to be rejected. It is further submitted that investigation has substantially progressed and the charge-sheet has already been filed vide CC No. 2665/2026, since, the circumstances have changed. Hence, the custodial interrogation is no longer required and there is no likelihood of absconding or tampering with the evidence. It is further submitted that the applicant is in judicial custody and continued detention would amount to pre-trial

punishment. The trial is likely to take considerable time. The applicant is ready and willing to abide by any of the conditions imposed by this Hon'ble Court and shall remain present before the Court as and when required. Hence, the Ld. Advocate has prayed to grant regular bail to the applicant.

3. On behalf of opponent i.e. the State, Ld. Sp. PP Mr. J. A. Pathak has remained present, as well as, the IO has submitted objection on affidavit at Exh. 4. The ld. PP has strongly opposed the grant of bail to the applicant and argued that the present offence is of serious nature registered under the provisions of Gujarat Animal Preservation (Amendment) Act. During the police raid, 23kg of beef found in an open plot adjacent to the residence of the applicant. Considering the gravity of the offence, if the applicant will be released in bail, there is every possibility that he may abscond or commit similar offences again. So, has prayed to reject the regular bail application of the present applicant.
4. Having heard the Ld. advocates of the respective parties and having perused the material on record. Upon perusal of the contents of the FIR, it appears that on 01.12.2025, the police received secret information that the present applicant was bringing beef in a vehicle i.e. Swift car bearing registration No. GJ-05-CF-0771 from some

unknown place and storing it in an open plot near his house, where he had employed persons for selling it. Acting upon the said information, the police conducted a raid at the said premises and upon noticing the police, the co-accused persons fled away. During the search, the police found 23kg of beef in a plastic carry bag and muddamal articles including knife and weighing scale were also seized. These materials collected during investigation lend support to the allegations made in the FIR and cannot be ignored at this stage. All the aforesaid material facts and evidences have been collected by the Investigating Officer during the course of police investigation, and thereafter, the charge-sheet is filed. Accordingly, the allegations against the accused is supported by the prima facie material and direct evidence collected during the investigation. It is pertinent to note that the applicant has filed the present application after filing of the charge-sheet, however, mere filing of the charge-sheet cannot be considered as a change in circumstances. Considering the facts and circumstances of the case, it appears that the co-accused persons have managed to flee from the spot at the time of the raid and are yet to be apprehended. The present applicant appears to be a vital link for tracing and arresting the absconding co-accused persons. It further transpires from the record that the present applicant has criminal antecedents of a similar nature and appears to be

repeatedly involved in such offences. The maximum punishment prescribed for the alleged offence is severe. Considering the object and intent of the present act, the seriousness of the offence and the active and key role attributed to the present applicant, the same cannot be viewed lightly. Having regard to the facts and circumstances of the case and seriousness of the allegations, this Court is not inclined to exercise its discretion in favour of the applicant. Hence, the following order is passed :-

ORDER

The present bail application is hereby **rejected**.

Signed and Pronounced in open Court today on this
17th day of March, 2026

Date : 17.03.2026

Place : Godhra

JK

(Raja Ranchhodbhai Patel)
6th Additional Sessions Judge,
Panchmahals at Godhra.
UIC No. GJ00922