

IN THE COURT OF ADDITIONAL SESSIONS JUDGE BULDHANA.
{Presided Over by A.G. Santani}



Criminal Bail Application No. 57/2026.
Shaikh Irfan Shaikh Isa.

V/s.

The State : Through : PSO, Chikhali.

APPEARANCE :

Mr. Wahid S. Khan, Ld. Advocate for the Applicant/Accused.

Mr. Ashish A. Kesale, Ld. APP for the Non applicant/the State.

-: ORDER BELOW EXHIBIT 01 :-
{Passed on 18.03.2026}

01. The applicant/the accused Shaikh Irfan Shaikh Isa, filed this application for grant of Bail U/s. 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in Crime No. 638/2025, registered with P.S.O., Chikhali, for the offences punishable U/sect. 303(2), 281 r/w. 3(5) of the Bharatiya Nyaya Sanhita, 2023 along-with Sections 5(a), 5(b), 9, 11(1)(c)(d) of the Prevention of Animal Cruelty Act, 1960.

02. Briefly, details of the report go to reveal that on 13.08.2025, the informant Gopal Chandrashekhar Sakharkar, lodged report with P.S., Chikhali, informing the fact that in morning of 11.08.2025, he found his red coloured cow missing and having verified the CCTV Footage, installed near the house of Swapnil Kharat, it transpired that 03 unknown persons committed such theft. Having received this report, the said police station registered this Crime and the investigation followed. Now, in view of this application, the applicant prayed for his bail on the grounds that this FIR was lodged against the unknown persons and he was not concerned with this theft. He is innocent and the allegations against him are imaginary. He is arrested in this matter on 30.01.2026 and since then, he is lying in custody. In view of para No.14, he also disclosed the list of offences (15) registered against him. In support of his application, he filed photocopies of the FIR, the applications for his M.C.R. and Bail, along-with the Orders.

Ld. APP objected this application, in view of his say (Exhibit 07), as the accused committed serious offence and the co-accused are yet absconding. On the other hand, even after due service of the notice (Exhibit 08), the informant remained absent and hence, this application proceeded without his say. Heard Mr. Wahid, Ld. Advocate for the applicant, and Mr. Kesale, Ld. APP for the State. Perused the Case Diary.

03. Considering their submissions and the record, at the outset, it is to be noted that the very recitals of the oral report dtd.13.08.2025 go to show that the informant lodged the same against three unknown persons. That apart, as of now, the investigation is complete and the charge-sheet, against some of the accused, is filed. That apart, the record shows that on 30.01.2026, the applicant was arrested and on the very day, when he was produced before the concerned Court, he was taken in MCR. In this way, even on his first production, the investigation did not ask for his custody. Thus, there appears no reason to continue him behind the bars. Certainly, his physical custody is not required to know the whereabouts of so-called absconding accused. On this backdrop, his application for bail needs to be allowed. Needless to mention that granting of bail wouldn't amount to his exemption to attend this trial and to co-operate for it's early disposal. As such, taking into account gravity of the offences, allegedly committed, it would also be appropriate to impose adequate conditions on his release to ensure a free and fair trial of this Crime. Hence, the Order:

-: ORDER :-

01. The accused namely Shaikh Irfan Shaikh Isa is Ordered to be released on bail on his executing personal bond of Rs. 50,000/- (Rs. Fifty Thousand), with a solvent surety in the like amount, in Crime No. 638 of 2025, registered with P.S., Chikhli, for the offences U/s. 303(2) and 281 r/w. 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Sections 5(a), 5(b), 9, 11(1)(c), 11(1)(d) of the Prevention of Animal Cruelty Act, 1960, subject to the conditions that-

- (i). he shall not tamper with the prosecution evidence in any manner,
- (ii). he shall not directly or indirectly make any attempt to contact or to influence the prosecution witnesses or to otherwise tamper with the prosecution evidence.
- (iii). he shall not indulge in any criminal activities in future,
- (iv). he shall attend the trial regularly,
- (v). he shall submit a list of at least three blood relatives with their detail residential addresses and also the addresses of their place of work, if any, and documentary proof of showing the correctness of the details produced by them, and
- (vi). he shall submit copies of at least two documents amongst the Passport, PAN Card, Aadhar Card, Ration Card, Electricity Bill or Voter Identity Card issued by the Election Commission of India.

02. In case of violation of any of the above referred conditions, the prosecution shall be at liberty to move for cancellation of his bail. The accused to comply with this Bail Order before the concerned Court.

03. Criminal Bail Application No. 57/2026 stands disposed of.

Buldhana.
Dated : 18.03.2026.

{A.G. Santani}
Addl. Sessions Judge, Buldhana.
District : Buldhana.

Certificate

I affirm that the contents of this order are same word for word as per original.

Name of Court	Additional Sessions Judge, Buldhana.
Name of Steno	Sanjay Chaudhari (Steno Grade I)
Dictated on	18/03/2026
Pronounced on	18/03/2026
Transcribed on	23/03/2026
Checked & Signed on	23/03/2026
Upload Date	24/03/2026