

MHNG120003462026



Cri. M.A. No. 32/2026

Suraj Ramsing Sengar

Vs.

State of Maharashtra

ORDER BELOW EXH.1

(Passed on 18/03/2026)

The present application is moved by the applicant Chandrabhan Maroti Kosare, under Section 503 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for releasing 02 cattle i.e. Bull (hereinafter, it is called as 'said seized animals') on Supratnama.

2. It is contentions of the applicant that an offence registered vide Crime No.16/2026 punishable under Section 11(1) (d)(h) of the Prevention of Cruelty to Animals Act, 1960 and by Police Station, Narkhed, Tal. Narkhed, Dist. Nagpur. The applicant further submitted that he is the owner of said seized animals. Therefore, the applicant as the owner is ready to receive said seized animals on Supratnama. The applicant is also ready to abide all the conditions imposed by this Court. Hence, prayed to release the said seized animals on Supratnama.

3. Say of Investigating Officer was called. The Investigating Officer filed his say below Exh. 05 dated 16/02/2026. The Investigating Officer submitted that if said seized animals released in favor of the applicant then there may be possibility that the applicant may treat the animals with cruelty. Therefore, Investigating Officer prayed to reject the application.

4. Say of A.P.P. was called. Ld. A.P.P. Mr. V. U. Mirche filed his say on overleaf of the application. The A.P.P. submitted that if the seized animals released in favour of the applicant, he may commit similar offence. Hence, Ld. A.P.P. prayed to reject the application.

5. In the present application, the animal were kept in the custody of Shri Krushna Go rakshan, Gondegaon, Tal. Narkhed, Dist. Nagpur (hereinafter, it is called as 'Goshala') as per the application. The say of Goshala was called by an order dated 27/02/2026 below Exh. 01. The Goshala appeared through learned Advocate Mr. A. N. Narnaware as per Vakil Patra below Exh.08. Goshala filed their say below Exh. 09.

6. Heard Ld. Advocate Mr. M. R. Charde for the applicant and Ld. A.P.P. Mr. V. U. Mirche for the State and also Ld. Advocate Mr. A. N. Narnaware for Goshala.

7. The applicant has filed the following documents filed along with list at Exh.03 :-

- a. Verified copy of Aadhar Card of the applicant Suraj Sengar.
- b. Photocopy Receipt of 2 red colored Bulls bearing receipt No 50 of book No. 85, of Nagar Parishad, Mohgaon for animal registration.

8. The applicant has himself stated in the application that

the original bill of the animals were seized by the Investigating Officer as per pursis below Exh. 06. The say of the Investigating Officer was called and he admitted in his reply at Exh. 07 that the original bills were seized. It seems applicant is an agriculturist and owner of the animals. No other person apart from Goshala has applied for custody. No purpose will be served by keeping the animals at Goshala.

9. Section 8 of the Maharashtra Animal Preservation Act, 1976 is to be considered before passing any order. It the proviso under section 8 of the Maharashtra Animal Preservation Act, 1976 clearly mentions that during the pendency of the trial, seized cow, bull or bullock shall be handed over to the nearest Gosadan, Goshala, Panjarpol, Hinsanivaran Sangh or such other animal welfare organization willing to except such custody and the accused shall be liable to pay the maintenance for the period they remain custody with any of the said institutions as per order of the court. Hence, as per law the applicant/accused is liable to pay maintenance charges to the Goshala.

10. It is clear that the Goshala has right to claim maintenance amount from the applicant. However, in order to decide the quantum the government resolution of the animal welfare board is relevant. As per the circular of the Maharashtra Animal Welfare Board bearing Marathi No. व्हीईटी/एडब्ल्युबीआय/५६८/६३९५/अ/२०१८-१९/पसं-१२, औंध, पुणे-६७, dated 02/03/2019, the maintenance amount for cattle per day is Rs.200/-

and for calf per day is Rs. 150/-. In the present case 10 animals are seized. There is no dispute as to ownership. The per day maintenance of each cow is Rs.200/-. Hence, I pass the following order:

ORDER

1. Criminal M. A. No. 32/2026 is hereby allowed.
2. The applicant is directed to pay the maintenance charges of rupees 200/- (Rupees Two Hundred Only) per day for each animal to the Shri Krushna Go Rakshan from the date of institution of said seized animals in the said Goshala till the release of said seized animals.
3. Seized 02 red colored bulls be handed over to the applicant till the conclusion of trial on the applicant's executing indemnity bond of Rs. 30,000/- (Rs. Thirty Thousand Only).
4. The applicant shall not cause any damage or injury to lives and limbs of said seized animals in any manner.
5. The applicant shall not subject to said seized animals for slaughtering purpose and they shall not be treated with cruelty.
6. The applicant shall have to give an undertaking that an ownership of said seized animals shall not be transferred during the conclusion of the trial in Crime

No. 16/2026 of Narkhed Police Station or till further order of the Court.

7. The investigation officer in Crime No. 16/2026 of Narkhed Police Station is hereby directed that prior to giving interim custody of said seized animals in question to the applicant colored photographs of cabinet size from different angles shall be kept on file, and expenses for the photographs shall be borne by the applicant.
8. The Investigating Officer in Crime No. 16/2026 of Narkhed Police Station is hereby directed to carry out detailed panchanama while returning said seized animals to the applicant and also carry out medical examination.
9. Photographs, panchanama and Medical Certificate should be filed on record along with charge sheet by the concerned Investigating Officer.

Date : 18/03/2026

(**Rohan Vijaykumar Thayil**)
Judicial Magistrate, First Class,
Narkhed, Dist. Nagpur

CERTIFICATE FOR UPLOADING TO CIS

I affirm that the contents of this PD.F File are same word to word, as per the original.

Name of the Court : **Shri. R. V. Thayil**
Judicial Magistrate, First Class,
Narkhed, Dist. Nagpur.

Name of the Stenographer : **Vikki A. Chavhan**
Stenographer (Grade-III)

Order Date : 18/03/2026

Signed by P.O. : 18/03/2026

Uploaded on : 18/03/2026