

MHNS100002242026



Cri. (Bail) Application No. 67/2026

[Chandwad Police Stn. C.R. No.55/2026]

Aasif Khan Dastageer Khan

Vs.

State of Maharashtra

Through Chandwad Police Station

Order Below Exh.1

This is the application for regular bail filed by applicant /accused **Aasif Khan Dastageer Khan** as per Section 483 of Bhartiya Nagarik Suraksha Sanhita in connection with C.R. No.55/2026 registered with Chandwad Police Station for the offences punishable under Sections 5-A, 5-B, 9 of Maharashtra Protection of Animals Act, 1976, under Section 119 of Maharashtra Police Act,1951 under Section 11(1)(d) of Prevention of Cruelty to Animals Act, 1960 under Section 96/177 of Motor Vehicles Act, 1988 and under Section 325 of Bhartiya Nyay Sanhita on the basis of FIR given by informant Police Head Constable Pradipsing Bapusing Solanki of Chandwad Police Station.

2. It is case of the prosecution as per First Information Report that according to the informant, he is posted in Police Station Chandwad and on 08.02.2026, from 8-00 p.m. to 8-00 a.m. of 09.02.2026, he was on dial 112 duty. At that time, police received secret information that on red colour truck bearing no.MH-12-FC-6079 is going from Chandwad towards

Malegaon via Rahud and cows, bullocks are in the said truck for slaughtering. Accordingly, police laid trap and found the said truck passing from Highway. Police tried to stop the said truck but driver tried to run away and then police followed the said truck and caught it on the speed breaker of Rahud village. Driver disclosed his name Shaikh Afzal @ Bablu Shaikh Hanif. Then police asked him about the said cattle then he told that he has loaded the said cattle from Abdul Samad Issac Shaikh r/o. Village Kuran, Tal. Sangamner, Dist. Ahilya Nagar from Sinnar and going towards Malegaon to deliver the said cattle to Asif Khan Dastgir Khan. Accordingly, police took search of the said truck and found 24 cattle kept in the said truck in the cruel manner for the purpose of slaughtering. Accordingly, F.I.R. is given.

3. On completion of P.C.R., accused moved bail application before Ld. J.M.F.C., Court No.1, Chandwad but Ld. J.M.F.C., Chandwad rejected his bail application and then present application is moved in this Court.

4. According to the applicant / accused he is falsely implicated in the matter. According to him, he is no way concern in the matter. There is no offence made out under Section 325 of Bhartiya Nyay Sanhita. There is delay in lodging F.I.R. According to him, he was not possessing the said cattle and merely on the say of co-accused, he is arrested by police. Therefore, he prayed to grant bail.

5. Present application is strongly opposed by Ld. A.PP by filing say at Exh.4.

6. Heard Ld. Advocate for applicants /accused and Ld. A.P.P. at length. Perused the investigation papers. Investigating Officer is present in the Court.

7. On going through the entire material, it is clear that offence is serious in nature and co-accused Shaikh Afzal was found transporting 24 cattle for the purpose of slaughtering in cruel manner. According to co-accused, he was doing the said act for the present accused and other absconding accused.

8. As per prosecutin say, the present accused is habitual offender and during year 2022 till 2025 i.e. only in three years 22 offences of similar nature registered against this accused in police station Pawarwadi, Tal. Malegaon, Dist. Nashik. His vehicle No.MH-12-FC-6079 is already seized before this crime also which was found for transportation of cattle for slaughtering on earlier occasions also. The said vehicle is also involved and seized in similar offence registered with Yeola Police Station. He is also declared as “tadipar” from Nashik District as per order dated 30.10.2025. Therefore, present accused / applicant is habitual offender and repeating similar types of offences again and again and involving himself in similar offences time and again. Investigation is in progress. Material evidence is yet to be collected. Few accused are absconding. Out of 24 cattle, two died on the spot due to cruel treatment given by the accused. Some other persons are involved in the offence. Prima-facie there is active participation and willful involvement of the present accused in the crime. Therefore, during pendency of investigation, he is not entitled to be released on bail. Let police complete the investigation and file charge-sheet then some comments can be passed. This application is pre-matured. Therefore, following order.

ORDER

- 1) Application is rejected.
- 2) Inform concerned police station. So also inform the accused through Superintendent of concerned jail by sending soft copy of this order by e-mail.

Place : Niphad.

Date : 17.03.2026

Additional Sessions Judge,
Niphad.