IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2026
(@SLP(CRL.) NO.13280 OF 2026)

MOHAMMAD AARIF ABDUL RAZAK SAMOL ..... APPELLANT(S)

VERSUS

STATE OF GUJARAT ..... RESPONDENT(S)

O R D E R

1. Heard.

2. Leave granted.

3. Appellant has been arraigned as an accused for the offences punishable under Sections 5(1), 6(b), 8(2), 8(4) and 10 of the Gujarat Animal Preservation Act, 2011, under Section 325 of the BNS and Section 119 of the Gujarat Police Act.

4. The sum and substance of the prosecution case is that appellant illegally procured 23 kgs of cow meat transported in a swift car and stored it in an open plot near his house for retail sale and after police conducted a raid, appellant is said to have fled from the scene. Hence, he has been arrested on 03.01.2026 and is in custody till date.

5. Learned counsel appearing for the respondent-State vehemently opposed the grant of bail and contended that trial is at the fag end and would be concluded expeditiously namely within a period of two months from today. She would also submit that appellant is having five antecedents

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of similar nature and, if enlarged on bail, he is likely to indulge in similar acts. As such, she prays for dismissal of the appeal.

6. Learned counsel appearing for the appellant would submit that the prosecution case is based entirely on circumstantial evidence and presumptions. He would submit that appellant is not arrested at the spot and the meat was recovered from an open space which was accessible by one and all and the said plot was not owned by appellant. Even the swift car which is alleged to have been used for transportation, does not belong to him.

7. Having heard the learned counsels appearing for the parties and noticing that appellant has been in custody for more than eight months, as also the fact that alleged meat was recovered from an open plot, of course near the house of the appellant, and charge-sheet having been filed and trial has already commenced, his continued incarceration would not be warranted. As to the complicity of appellant in the alleged procurement and storage of meat, requires to be established by the prosecution by examining their witnesses. Merely because the appellant’s antecedents are there, would not be definitive proof of guilt in the present case. Hence, without expressing any opinion on merits we are of the considered view that appellant is entitled for being released on regular bail.

8. Hence, we allow the appeal and set aside the impugned order. Appellant is ordered to be released on regular bail on such terms and conditions as the jurisdictional Court may deem fit to impose.

9. Pending application(s), if any, shall stand disposed of.

.....J.
(ARAVIND KUMAR)

.....J.
(VIPUL M. PANCHOLI)

New Delhi;
October 14, 2026.

ITEM NO.42 COURT NO.10 SECTION II-E

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Criminal Appeal No(s). 4922/2026 (@SLP(Crl.) No.13280/2026)

MOHAMMAD AARIF ABDUL RAZAK SAMOL Appellant(s)

VERSUS

STATE OF GUJARAT Respondent(s)

IA No. 210877/2026 - EXEMPTION FROM FILING O.T.

Date : 14-10-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Appellant(s) : Mr. Nadeem B. Mansuri, Adv.
Mr. Minhajuddin Moinuddin Shaikh- 4132, AOR

For Respondent(s) :Ms. Swati Ghildiyal- 3169, AOR
Mr. Adarsh Dubey, Adv.
Mr. Rahul Suresh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the Signed Order which is placed on the file.

Pending application(s), if any, shall stand disposed of.

(RASHI GUPTA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER (NSH)