

GAHC010022342023



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : Bail Appln./448/2023**

DIGANTA DAS AND 3 ORS  
S/O LATE ASHADOR DAS, R/O KURUABAHI, RONGAGORAPARA, P.S.-  
BOKAKHAT, DIST-GOLAGHAT, ASSAM

2: PANKAJ DAS  
S/O SRI PRASANTA DAS  
R/O KURUABAHI  
RONGAGORAPARA  
P.S.-BOKAKHAT  
DIST-GOLAGHAT  
ASSAM

3: MANASH DAS  
S/O SRI PRASANTA DAS  
R/O KURUABAHI  
RONGAGORAPARA  
P.S.-BOKAKHAT  
DIST-GOLAGHAT  
ASSAM

4: BABLU DAS  
S/O SRI NIRMAL DAS  
R/O KURUABAHI  
RONGAGORAPARA  
P.S.-BOKAKHAT  
DIST-GOLAGHAT  
ASSA

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner : MR. J BARMAN**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE  
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

**ORDER**

**Date : 09.02.2023**

Heard Mr. J. Barman, learned counsel for the petitioners as well as Mr. M.P. Goswami, learned APP for the State.

The petitioners, who were arrested on 06.01.2023 and remanded on 08.01.2023, are seeking regular bail under section 439 Cr.P.C. in connection with Bokakhat P.S. Case No. 02/2023 under sections 379/411 of IPC read with Section 13(1) of Assam Cattle Preservation Act, 2021.

The FIR reveals that the petitioners at the relevant point of time were transporting 21 numbers of cattle and they were intercepted in the process.

The learned counsel for the petitioner has submitted that at the relevant point of time, the petitioners were not having the money receipt of the purchase of the cows and he is relying on the purchase documents appended to this bail application.

The learned APP has opposed the prayer for bail. However, considering that the petitioners have been in custody for about a month, the Court is of the considered opinion that further custodial interrogation of the petitioners may not be necessary. Hence, the Court is inclined to grant bail to the petitioners, namely, (1) Sri Diganta Das, (2) Sri Pankaj Das, (3) Sri Manash Das, and (4) Sri

Bablu Das in connection with the aforesaid case on furnishing bail bond of Rs.50,000/- each with one suitable surety of like amount to the satisfaction of the learned Sub-Divisional Judicial Magistrate (M), Bokakhat.

The bail is granted on the following conditions:

1. The petitioners shall make themselves available to the police or any other investigating agency or Court in the present case as and when required.
2. The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to Court or to any police officer or tamper with the evidence. They shall not, in any manner, try to overawe or influence or intimidate the prosecution witness.
3. The petitioners shall not obstruct the smooth progress of the investigation/trial.
4. The petitioners shall not misuse their liberty in any manner.
5. The petitioners shall appear before the I/O within 7 (seven) days from the date of release and cooperate with the investigation. Moreover, they shall give their attendance before the I.O. once in a month till his attendance is dispensed with by the I.O., or till filing of charge-sheet, whichever is earlier.
6. It is provided that if the petitioners again found to be involved in any similar offence, it would be open to the I.O. to move jurisdictional Court for cancellation of bail.

Application stands disposed of.

**JUDGE**

**Comparing Assistant**