

GAHC010003882024



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

Case No. : Bail Appln./73/2024

FARID ALI
S/O-MD KUTUBUDDIN, R/O- JULUGUTI, TUKUNABARI, P.S. MIKIRBHETA,
DISTRICT- MORIGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. T HUSSAIN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 10-01-2024

- 1.** Heard Mr. T. Hussain, learned counsel for the petitioner.
- 2.** The petitioner, namely, Farid Ali has filed this application under Section 439 Cr.PC with prayer for bail as he is behind bars since 24.12.2023 in connection with Pragjyotishpur Case No. 175/2023 corresponding to G.R. Case No. 9435/2023 u/s

379/411 of Indian Penal Code, R/W Section 13(1) of Assam Cattle Preservation Act, 2021, R/w Section 11(1)(b) of Prevention of Cruelty of Animals Act, 1960.

3. The allegation against the petitioner is that the petitioner being a driver in connivance with other miscreants was involved in smuggling 23 bullocks but he was intercepted while proceeding in the vehicle No. AS-01-LC-2612.

4. Heard Mr. D.P. Goswami, learned Addl. PP, Assam.

5. I have considered the submission at the Bar that the petitioner was intercepted on the same day and the stolen bullocks along with the vehicle have been seized in connection with this case. Investigation has presumably progressed to a considerable extent. I have considered the submission that further detention of the petitioner for the purpose of investigation may not be required.

6. Considering all aspects, petition is allowed. The petitioner is enlarged on bail of Rs. 30,000/- with a suitable surety of like amount to the satisfaction of the CJM, Kamrup with the condition that the petitioner shall refrain from such activities with which he is alleged, failing which bail order shall stand cancelled.

JUDGE

Comparing Assistant