

GAHC010005832024



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

Case No. : AB/103/2024

AHADUL ISLAM
S/O BACHIR UDDIN
R/O VILL- BHOGAMUR PART-
P.S. KHATOWAL
DIST. NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. T CHUTIA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 15-03-2024

- 1.** Heard Mr. T. Chutia, learned counsel for the petitioner.
- 2.** The petitioner, namely, Ahadul Islam has filed this application u/s 438 Cr.PC with prayer of pre-arrest bail as he is apprehending arrest in connection with

Khetri P.S. Case No. 219/2023 registered u/s 379/411/34 of the IPC R/W Section 11(a)(d)(e) of Prevention of Cruelty to Animal Act, 1960, R/w Section 13(1)/16 of Assam Cattle Preservation Act, 2021.

3. Heard Mr. K. Baishya, learned Addl. PP, Assam.

4. It is submitted on behalf of the petitioner that he is the owner of the cattle and at the time of apprehension he could not produce the receipts. The petitioner has already furnished the receipts before the IO.

5. The learned Addl. PP has submitted that the petitioner has appeared before the IO and his statement has been recorded.

6. The petitioner has pledged to co-operate with the remaining part of the investigation. The Case Diary reveals that investigation has progressed to a considerable extent and it appears that custodial interrogation may not be necessary for the progress of investigation.

7. Considering all aspects, the interim order dated 19.01.2024 is hereby made absolute under the conditions that:-

- i. The petitioner shall refrain from such activities with which he is alleged; and
- ii. the petitioner shall appear before the I.O. after every 15 days till completion of the investigation.

Send back the Case Diary.

JUDGE

Comparing Assistant