

GAHC010040562024



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

Case No. : Bail Appln./622/2024

BABUL ISLAM
S/O- RAMJAN ALI, VILL- TELIACHAPARI, P.S. RUPAHIHAT, DISTRICT-
NAGAON ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY P.P., ASSAM

Advocate for the Petitioner : MR. T CHUTIA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 11-03-2024

1. Heard Mr. T. Chutia, learned counsel for the petitioner as well as Mr. MP Goswami, learned APP for the State.
2. The petitioner, namely, Babul Islam who was arrested on 05.02.2024

in connection with Basistha PS case no.71/2024 under sections 379 IPC read with section 11(1)(d) of Prevention of Cruelty to Animal Act read with section 13(1)/16 Assam Cattle Preservation Act, 2021 is seeking regular bail by filing this application under section 439 Cr.P.C.

3. The learned counsel for the petitioner has submitted that the petitioner is the driver of the vehicle from which the cattle was recovered. He was arrested on 05.02.2024 and since then he has been languishing in jail. The owner of the vehicle has also been granted bail.

4. In response, learned APP submits that under the facts and circumstances of the case, further custodial interrogation of the petitioner may not be warranted.

5. In view of the submission of learned counsel for the parties, and considering the length of detention, bail may be granted to the petitioner.

6. This Court is inclined to release the petitioner, named above, on bail on furnishing a bail bond of Rs.20,000/- (Rupees twenty thousand only) with one suitable surety of the like amount to the satisfaction of the learned CJM, Kamrup (Metro), Guwahati.

7. The direction for bail is further subject to the conditions that the accused petitioner:

- (1) Shall not leave the territorial jurisdiction of learned CJM, Kamrup (Metro), Guwahati without prior written permission from him/ her.

- (2) 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 the Court or to any police officer.

This application stands disposed of.

JUDGE

Comparing Assistant