

GAHC010047152024



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

Case No. : Bail Appln./666/2024

SHUKUR ALI
S/O ABDUL MATALEB
R/O VILL- PUB LARIMUKH
P.S. RUPAHIHAT
DIST. NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : M. HOSSAIN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 02.04.2024

Heard Mr. M.Hossain, learned counsel for the accused petitioner as well as Mr. B.Sharma, learned Addl. P.P., Assam for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Shukur Ali** has prayed for grant of bail in connection with **Uluwani P.S. Case No.11/2024** u/s 120

B/379/411 of the IPC r/w Section 13 (1) of the Assam Cattle Preservation (Amendment) Act r/w Section 11 (1) (a) (b) (c) (d) of Prevention of Cruelty to Animal Act.

Case diary is placed before the court.

The case relates to recovery and seizure of 28 Nos.of live cattle from 3 Nos. of vehicles.

It is noticed that the accused petitioner is in judicial custody for 40 days since 23.02.2024.

Having heard the learned counsel for the parties and on perusal of case diary, it reveals the present petitioner is the driver of the vehicle bearing no. AS-12CC-3325 from which some live cattle were recovered. Besides, two other vehicles were also involved in the alleged offence.

However, considering the length of detention of the accused petitioner in judicial custody, this Court is of the considered opinion that further detention of the accused petitioner in the interest of investigation is not warranted.

Accordingly, it is provided that the accused petitioner named above shall be released on bail of **Rs. 20,000/- (Twenty Thousand)** with one surety of like amount to the satisfaction of the learned **SDJM, Koliabor, Nagaon** subject to the following conditions- :

- (i) That the accused petitioner shall cooperate with the Investigating Officer as and when required;
- (ii) That the accused 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 the Police Officer or the Court; and
- (iii) That the accused petitioner shall refrain from committing any similar offence in future, of which he is accused/ suspected of commission.

This disposes of the bail application.

Return the case diary.

JUDGE

Comparing Assistant