

GAHC010060442024



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

Case No. : Bail Appln./857/2024

MD. SAH ALOM @ SAHA ALI AND ANR.
S/O MAJIBUR RAHMAN
VILL- AMINPARA, P.S. ROUTA
DIST. UDALGURI, ASSAM
PIN-784508

2: AMIR HUSSAIN
S/O SUKUR ALI
VILL- AMINPARA
P.S. ROUTA
DIST. UDALGURI
ASSAM
PIN-78450

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. B RAHMAN

Advocate for the Respondent : PP, ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

22.03.2024

Heard Mr. B. Rahman, the learned counsel appearing for the petitioners as well as Ms. A. Begum, the learned Addl. Public Prosecutor representing the State of Assam.

2. This is an application under Section 439 of the CrPC in respect of G.R. Case No.2640/2016 (Narayanpur P.S. Case No.171/2016, under Section 11 (1) (a) of the Prevention of Cruelty to Animal Act, 1960) pending before the court of learned S.D.J.M.(S), Lakhimpur, North Lakhimpur, Assam.

3. The petitioners defaulted in appearance before the learned trial court and therefore, Non-Bailable Warrant of Arrest (NBWA) was issued against them. They were arrested and produced before the trial court.

4. By filing this application, the petitioners prayed for releasing them on bail, but the trial court refused to grant them bail because their conducts were not good.

5. I have considered the submissions made by the learned counsel of both sides.

6. The conducts of the petitioners are not good. Even, then, this Court has decided to give one opportunity to the present petitioners.

7. Accordingly the impugned order is interfered with. The petitioners, namely- Md. Sah Alom @ Saha Ai and Amir Hussain are allowed to go on bail of ₹25,000/- each with sureties of like amount to the satisfaction of the learned S.D.J.M.(S), Lakhimpur, North Lakhimpur, Assam.

The bail application is disposed of.

JUDGE

Comparing Assistant