

GAHC010061392024



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

**Case No. : Bail Appln./921/2024**

MOFAJJEL HOQUE  
S/O MAULABI MASERUDDIN AHMED  
VILL- FAKIRANIRJHAR PART-II,  
P.S. BILASIPARA, DIST. DHUBRI, ASSAM  
PIN-783348

VERSUS

THE STATE OF ASSAM  
REP. BY THE PP, ASSAM

**Advocate for the Petitioner : MR. P THAKURIA**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HONOURABLE MRS. JUSTICE MALASRI NANDI**

**ORDER**

**Date : 01.04.2024**

Heard Mr. G. Das, learned counsel for the petitioner. Also heard Mr. D.P. Goswami, learned Additional Public Prosecutor appearing for the State.

This is an application made under **Section 439 Cr.P.C.**, seeking bail by the petitioner, namely, **Mofajjel Hoque**, in connection with **Bilasipara P.S.**

**Case No. 38/2024**, registered under **Section 13(1) of Assam Cattle Preservation Act**.

The learned counsel for the petitioner submits that the allegation against the petitioner is that he was selling cow meat on the date of the incident and nothing was recovered from the possession of the petitioner. It is further submitted that the petitioner has been detained in jail hazot for the last 39 days. Considering the period of detention as well as the background of the case, the petitioner may be enlarged on bail.

On the other hand, Mr. Goswami, learned Additional Public Prosecutor for the State has submitted that considering the period of detention, the bail may be granted to the petitioner.

I have considered the submissions made by the parties.

Considering the fact as well as the length of detention of the petitioner, this Court is of the view that further custodial interrogation of the accused-petitioner is not necessary for the purpose of investigation of the case.

Accordingly, the accused-petitioner, named above, shall be released on bail in connection with **Bilasipara P.S. Case No. 38/2024**, registered under **Section 13(1) of Assam Cattle Preservation Act**, on furnishing bail bond of **Rs.20,000/- with a suitable surety** of the like amount to the satisfaction of learned SDJM(M), Bilasipara, Dhubri, Assam.

The direction for bail is further subject to the conditions that the accused-petitioners:

- (a) shall not leave the territorial jurisdiction of learned SDJM(M), Bilasipara, Dhubri, Assam, without prior written permission from him/her;
- (b) 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 them from disclosing such facts to the Court or to any police officer.

In terms of the above, this bail application stands disposed of.

**JUDGE**

**Comparing Assistant**