

GAHC010080712024



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

Case No. : Bail Appln./1141/2024

NUR ISLAM
S/O LATE KERAMAT ALI,
VILLAGE CHIRAKUTA PART I, PS CHAPAR, DIST DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY PP ASSAM

Advocate for the Petitioner : MD B ISLAM

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 22.04.2024

Heard Mr. AA Mondal, learned counsel for the petitioner and Mr. DP Goswami, learned Addl. PP for the State respondent.

This is an application under Section 439 Cr.P.C., seeking bail by the petitioner namely Nur Islam in connection with Chapar P.S. Case No. 39/2024 under Section 13(1) of the Assam Cattle Preservation (amendment) Act, 2021.

It is submitted by the learned counsel for the petitioner that nothing has been recovered from the possession of the petitioner. On the date of incident, the petitioner was in the house of one Nural Ali and the police has arrested the petitioner purely on suspicion for selling of beef. The petitioner has been detained in custody for last 30 days since the date of his arrest on 24.03.2024. Considering the length of detention, petitioner may be enlarged on bail.

The learned Additional Public Prosecutor has fairly submitted that the considering the period of detention, the petitioner may be enlarged on bail.

I have gone through the FIR and the FIR discloses that the petitioner was found of selling beef openly.

However, considering the period of detention, I find that further custodial interrogation of the accused/ petitioner may not be required. It is directed that the accused/ petitioner be released on bail on furnishing a bond of Rs. 20,000/- with a suitable surety of like amount to the satisfaction of the learned Judicial Magistrate, First Class, Bilasipara in connection with the aforementioned case.

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

- (a) shall not hamper with the investigation and tamper with the evidence of the case; and
- (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 him 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