

GAHC010083632024



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

Case No. : AB/1083/2024

MD. MOYEEN ASHRAF
S/O MOHAMMAD HUSSAIN ANSARI
ADDRESS- MAHANAGAR PATH, BARSAJAI, DIST. KAMRUP, ASSAM, PIN-
781029

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MS. G BORAH

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
O R D E R

10. 06. 2024

Heard learned counsels for the parties.

By this application under Section 438 Cr.P.C., the petitioner, namely, Md. Moyeen Ashraf seeking pre-arrest bail in connection with Basistha Police Station Case No. 734/2023 under Section 379 IPC read with Section 11 (1)(d) of the Prevention of

Cruelty to Animal Act, 1960 and read with Section 13(1)/16 of the Assam Cattle Preservation Act.

This court vide order dated 26.04.2024 while calling for the case diary had granted interim protection to the petitioner considering the nature of allegation.

Case diary produced is perused.

From the materials available on record, it is seen that the petitioner has fully cooperated with the investigation and his statement was also recorded.

The material so far collected by the investigating officer against the above named petitioner, in the considered opinion of this court, do not warrant custodial interrogation of the petitioner in this case inasmuch as the petitioner had cooperated with the investigating authority and there is no allegation that he tried to hamper and tamper with the investigation.

Therefore, in the totality of the matter, the interim protection granted under order dated 26.04.2024 is made absolute with the same terms and condition.

Bail application stands disposed of.

Send back the case diary.

JUDGE

Comparing Assistant