

GAHC010085062024



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

Case No. : Bail Appln./1234/2024

MAINUDDIN MULLAH
S/O AKBAR MULLAH,
VILL.- MONAKOCHA,
P.S.- KALGACHIA,
DIST.- BARPETA, ASSAM.

VERSUS

THE STATE OF ASSAM
REP. BY P.P., ASSAM.

Advocate for the Petitioner : MR. S RANA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 30.04.2024

Heard Mr. S. Munir, learned counsel for the petitioner and Mr. D.P. Goswami, learned Addl. Public Prosecutor for the State respondent.

This is an application under Section 439 Cr.P.C., filed by the petitioner, namely Mainuddin Mullah, praying for bail who was arrested on 24.03.2024 in connection with Manikpur P.S. Case

No. 45/2024 under Sections 379 IPC read with Section 13(1) of the Assam Cattle Preservation Act.

It is submitted by the learned counsel for the petitioner that the petitioner has been detained in custody for last 37 days since the date of his arrest on 24.03.2024. As per FIR, 2 Nos. of bulls have been stolen by some unknown miscreants and bulls were not recovered from the possession of the present petitioner. However, considering the period of detention, the petitioner may be enlarged on bail.

On the other hand, the learned Addl. PP has no objection and has submitted that considering the period of detention, the petitioner may be released on bail.

Considering the length of detention, prayer for bail is allowed. It is directed that the accused/ petitioner shall be released on bail on furnishing a bond of Rs. 20,000/- with one suitable surety of like amount to the satisfaction of the learned CJM, Bongaigaon in connection with the aforementioned case.

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

- (1) shall not hamper with the investigation and tamper with the evidence of the case; and
- (2) 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