

GAHC010093642024



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

Case No. : Bail Appln./1345/2024

ROHIM BADSHA AND ANR.
S/O LATE RUPCHAND ALI
R/O VILL- JAMUNATARI, P.S. GOSSAIGAON, DIST. KOKRAJHAR, ASSAM

2: TOROB ALI
S/O LATE RUPCHAND ALI
R/O VILL- JAMUNATARI
P.S. GOSSAIGAON
DIST. KOKRAJHAR
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. M A MONDAL
Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

17.05.2024

Heard M. A. Mondal, learned counsel appearing for the accused petitioners as well as Mr. B. Sarma, learned Addl. P.P., Assam appearing for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioners, namely,

Rohim Badsha and Torob Ali, have prayed for grant of bail in connection with **Gossaigaon P.S. Case No.58/2024 corresponding to GR Case No. 61/2024** under Sections **429/34 IPC read with Section 13(1)/14 of Assam Cattle Preservation Act, 2021**.

It is submitted by the learned counsel for the petitioners that the accused petitioners have been languishing in judicial custody for last 38 days since their arrest on 11.04.2024. The allegation against them is that large quantity of beef was found from their possession on the occasion of Eid. Considering the length of detention, prayer for bail may be considered.

Mr. B. Sarma, learned Additional Public Prosecutor has produced the case diary and submitted that around 60 kg of beef were recovered from their possession. Considering the length of detention, bail may be considered.

In view of the submission of learned counsel for both the parties and considering the length of detention, this Court is of the view that further custodial interrogation of the accused-petitioners is not necessary in the interest of investigation of the case.

Accordingly, the petitioners, named above, shall be released on bail, on furnishing bail bond of **Rs.20,000/- each** with **one suitable surity each** of the like amount, to the satisfaction of learned **SDJM(M), Gossaigaon**.

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

- (a) shall not leave the territorial jurisdiction of learned SDJM(M), Gossaigaon without prior written permission from him/her;
- (b) shall not hamper with the investigation, or tamper with the evidence of the case;
- (c) 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