

GAHC010093802024



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

Case No. : AB/1227/2024

JAHIJAL HOQUE @ JAHIJUL HOQUE
S/O LATE ABDUL SUBUR
R/O 1 NO. ARIMARI, P.S. KHARUPETIA, DIST. DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR M AHMED

Advocate for the Respondent : PP, ASSAM

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

30. 05. 2024

Heard Mr. M Ahmed, learned counsel for the applicant. Also heard Mr. P Borthakur, learned Additional Public Prosecutor, Assam.

By this application under Section 438 Cr.P.C., the petitioner, namely, Jahijal Hoque @ Jahijul Hoque is seeking pre-arrest bail in connection with Kharupetia PS case No. 21/2024 under Section 264/429 IPC read with Section 8 of the

Assam Cattle Preservation Act, 2021.

Case diary produced as called for.

From the case diary, it is seen that the petitioner is involved in commission of offence under Section 8 of the Assam Cattle Preservation Act, 2021. The learned counsel for the petitioner submits that the petitioner shall not indulge in commission of similar nature of offence and he will co-operate with the investigating officer and shall not hamper and temper with any evidence.

Considering the nature of allegation and stage of investigation, this court is of the opinion that custodial interrogation of the petitioner may not be necessary in this case. Accordingly, in the event of arrest of the petitioner above named, in connection with the case aforementioned, he shall be released on bail on furnishing bail bond of Rs.25,000/- with a suitable surety of the like amount, to the satisfaction of arresting authority. The pre-arrest bail is granted on the following conditions:

- (1) The petitioner shall not leave the territorial jurisdiction of the aforesaid police station, without prior written permission from its officer-in-charge,
- (2) The petitioner shall not hamper with the investigation, or tamper with the evidence of the case,
- (3) The petitioner 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,
- (4) The petitioner shall not indulge in any kind of similar offence i.e. selling and slaughtering of beef in violation of

Section 8 of the Assam Cattle Preservation Act, 2021,

(5) The petitioner shall appear before the Officer-in-charge, Kharupetia PS within 7(seven) days from today,

(6) The petitioner shall continue to appear before the Investigating Officer of the above mentioned case after every 10(ten) days from the date of first appearance till such time the attendance is dispensed with by the said investigating officer.

Bail application stands disposed of.

JUDGE

Comparing Assistant