

GAHC010099082024



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

Case No. : AB/1281/2024

MAHAR ALI
S/O AJIMUDDIN,
C.O HASMAT ALI,
PRESEENTLY RESIDING AT GANDOW, SUALKUCHI, PS SUALKUCHI, DIST
KAMRUP, ASSAM
PERMANENT RESIDENT OF KIRAKARA (PART) PS SIPAJHAR, DIST
DARRANG, ASSAM 783390

VERSUS

THE STATE OF ASSAM
RRP BY THE PP ASSAM

Advocate for the Petitioner : MR A K AHMED

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 13.06.2024

Heard Mr. A. K. Ahmed, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Additional Public Prosecutor for the State.

This is an application filed under Section 438 Cr.P.C., praying for pre-arrest bail by the petitioner, namely, **Mahar Ali**, in connection with **Basistha P.S. Case No. 320/2024**, registered under Section 379 IPC, R/W Section 11(1)(d) of the Prevention of Cruelty to Animal Act, 1960, R/W Section 13(1)/16 of Assam Cattle Preservation (Amendment) Act, 2021.

The Case diary, as called for, is placed before the Court.

It may be mentioned that by order, dated 20.05.2024, this Court granted the privilege of interim pre-arrest bail to the petitioner.

Mr. B.Sharma, learned Addl. Public Prosecutor, submits that the case diary shows that the petitioner appeared before the investigating officer and got his statements recorded under Section 161 Cr.P.C. as per the interim pre arrest bail granted earlier. There is no adverse report against the petitioner from the I.O.

Therefore, the interim pre-arrest bail granted vide order, dated 20.05.2024 is hereby made absolute, subject to the following conditions-

- (i) That the petitioner shall co-operate in investigation as and when required;
- (ii) That 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; and
- (iii) That the petitioner shall not hamper or tamper with the investigation in any manner.

Return the case diary.

This disposes of the anticipatory bail application.

JUDGE

Comparing Assistant