

GAHC010101822024



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

Case No. : AB/1322/2024

NUR HUSSAIN
S/O NURUL ISLAM, VILLAGE OF BORGHULI NO.-2. P.S.-KALIBOR NAGAON
ASSAM

VERSUS

THE STATE OF ASSAM
REP BY PP ASSAM

Advocate for the Petitioner : MR. SURAJIT DAS

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 13.06.2024

Heard Mr. S. Nawaz, learned counsel appearing for the petitioner and Mr. B. Sarma, the learned Additional P.P. for the State of Assam.

This is an application under Section 438 of the Cr.P.C. in respect of Khetri P.S. Case No.44/2024.

On the day of occurrence, police stopped a super carry vehicle bearing Registration No.AS-02-DC-1945. According to police, 8 numbers of cattle were cruelly transported by the said vehicle. Therefore, police registered the case under different sections of the Prevention of Cruelty to Animal Act, 1960 and Assam Cattle Preservation (Amendment) Act, 2021.

The present petitioner is the owner of the said vehicle. He said that he did not have any knowledge that his driver has used the vehicle for that purpose.

I have perused the case diary.

I find that there is no sufficient materials in the case diary against the petitioner.

After considering the submissions made by the learned counsel for both sides, this Court is of the opinion that the petitioner does not deserve to be detained in custody. Therefore, his bail application is allowed.

It is hereby directed that in the event of arrest in connection with Khetri P.S. Case No.44/2024, the petitioner Nur Hussain shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the arresting authority. He is directed to co-operate with the Investigating Officer as and when required.

The bail application stands disposed off.

The CD shall be returned.

JUDGE

Comparing Assistant