

GAHC010117442024



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

Case No. : AB/1555/2024

RITUMONI HUSSAIN
S/O TAHIRUN NESSA, R/O MORIMUSALMAN GAON, PACHATIA, P.S.-
MORIGAON SADAR, DIST-MORIGAON (A)

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. R ALI, R L CHUTIA, MR. T CHUTIA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

25.11.2024

Heard Mr. R.L Chutia, learned counsel for the applicant. Also heard Mr. R.J. Barua, learned Addl. PP, Assam.

This is an application under Section 438 Cr.PC, 1973 for seeking pre-arrest bail to the applicant, i.e., Ritumoni Hussain, who is apprehending arrest in

connection with Sonapur P.S Case No. 109/2024 under Sections 379/411 IPC read with Sections 11(1) (a) (b) (d) of the Prevention of Cruelty to Animals Act, 1960 and read with Section 13(1) of the Assam Cattle Preservation Act, 2021.

Pertinent that by Order dated 21.06.2024, the applicant was granted interim bail subject to conditions thereof.

The Case Diary as called has been received.

Mr. R.J. Barua, learned Addl. PP, Assam submits that the applicant in terms of the interim Order dated 21.06.2024, appeared before the Investigating Officer and accordingly, his statement has been recorded by the Investigating Officer.

Apparent that the applicant is co-operating with the investigation.

Situated thus, this Court is of the considered view that custodial interrogation perhaps would not be justified for the ongoing investigation.

Accordingly, the bail granted earlier is hereby made absolute subject to the following conditions:-

- (i) That the applicant shall co-operate with the investigation.
- (ii) That the applicant 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 applicant shall refrain from committing any similar offences in

future of which he is accused or suspected of commission.

With the above observation and direction, the Anticipatory Bail application stands disposed of.

JUDGE

Comparing Assistant