

GAHC010120412024



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

Case No. : Bail Appln./1724/2024

RAFIKUL BHUIYAN @ ROFIKUL BHUYAN AND ANR.
S/O IDRIS BHUYAN
R/O VILL- DAWAGURI-I, P.S. GOSSAIGAON
DIST. KOKRAJHAR, ASSAM

2: ABDUL KHALEK BHUYAN
S/O IDRIS ALI BHUYAN
R/O VILL- DAWAGURI-I
P.S. GOSSAIGAON
DIST. KOKRAJHAR
ASSA

VERSUS

THE STATE OF ASSAM
TO BE REP BY THE PP, ASSAM

Advocate for the Petitioner : MR SARFRAZ NAWAZ

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

14.06.2024

Heard Mr. S Nawaz, learned counsel for the petitioners as well as Mr. K K Porasor, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 439 CrPC praying for release on bail by the petitioners, namely, (1) Rafikul Bhuiyan @ Rofikul Bhuyan and (2) Abdul Khalek Bhuyan in connection with Gossaigaon P.S. Case No. 91/2024 registered under sections 379/411/34 IPC read with Section 13(1) of the Assam Cattle Preservation Act, 2021.

On 10.06.2024, the petitioners had purchased two numbers of cows from Barobisa Secondary Market Yard and they were bringing those cows home on foot. Police stopped them and they could not show any documents. Police suspected that they were bringing those cows from West Bengal for selling their meat. Today, the petitioners have submitted the receipts whereby they purchased those two cows.

Having heard the learned counsel for both the sides and on perusal of the materials available on record, I am of the considered opinion that the petitioners do not deserve to be detained in custody for any further period of time. Hence, the bail application of the petitioners is allowed.

Accordingly, it is hereby directed that the petitioners (1) Rafikul Bhuiyan @ Rofikul Bhuyan and (2) Abdul Khalek Bhuyan, who were arrested in connection with Gossaigaon P.S. Case No. 91/2024 registered under sections 379/411/34 IPC read with Section 13(1) of the Assam Cattle Preservation Act, 2021 be released on bail of Rs.10,000/- each with one surety of like amount to the satisfaction of the learned SDJM, Gossaigaon.

The bail application is disposed of.

JUDGE

Comparing Assistant