

GAHC010127012024



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

Case No. : Bail Appln./1858/2024

KURPAN ALI
S/O KAKAR UDDIN
R/O VILL- NIZ BAGHBAR
P.S. BAGHBAR
P.O. BAGHBAR
DIST. KAMRUP, ASSAM
PIN-781308

VERSUS

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

Advocate for the Petitioner : MR S BORTHAKUR

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

19.07.2024

Heard Mr. S. Borthakur, learned counsel appearing for the accused petitioner as well as Mr. D. P. Goswami, learned Addl. P.P., Assam appearing for the State

respondent.

By filing this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Kurpan Ali**, has prayed for grant of bail in connection with **Basistha P.S. Case No.431/2024**, Jorabat OP GDE No. 237 under Sections **379 of IPC r/w Section 11(1)(d) of Prevention of Cruelty to Animals Act, 1960, 13(1) and 16 of the Assam Cattle Preservation Act.**

It is submitted by the learned counsel for the petitioner that the petitioner is the owner of the cattle. In support of his submission, the learned counsel for the petitioner has produced some purchase receipts from whom the said cattle were purchased. It is further submitted that the petitioner has been detained in custody since 13.06.2024. Considering the background of the case as well as the length of detention, petitioner may be enlarged on bail.

On the other hand, Mr. Goswami, learned Additional Public Prosecutor for the State has stated that considering the period of detention, bail may be granted to the petitioner.

I have considered the submissions made by the parties. I have also perused the case diary.

It appears that the petitioner is the owner of the cattle which was recovered from the said vehicle. Considering the fact as well as the length of detention of the petitioner, this Court is of the view that further custodial interrogation of the accused-petitioner is not necessary for the purpose of investigation of the case. Accordingly, the petitioner, named above, shall be released on bail, on furnishing bail bond of **Rs.20,000/-** with **one suitable surety** of the like amount to the satisfaction of learned **Chief Judicial Magistrate, Kamrup (M), Guwahati.**

The direction for bail is further subject to the conditions that the petitioner:

(a) shall not leave the territorial jurisdiction of learned Chief Judicial Magistrate,

Kamrup (M), Guwahati without prior written permission from him/her;

(b) shall not hamper with the investigation, or tamper with the evidence of the case;

(c) 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.

In terms of the above, this bail application stands disposed of.

Return the case diary.

JUDGE

Comparing Assistant