

GAHC010139742024



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

Case No. : Bail Appln./2055/2024

MOMOR ALI SK
S/O AJAHAR ALI, R/O VILL- GUWABARI, P.S.-FAKIRGRAM, DIST-
KOKRAJHAR, ASSAM

VERSUS

STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR SARFRAZ NAWAZ

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 19.07.2024

Heard Mr. S.Nawaz, learned counsel for the petitioner as well as Mr. D.P.Goswami, learned Addl. P.P., Assam for the State respondent.

By this application filed under section 483 of the Bharatiya Nagarik Suraskha Sanhita, 2023, the accused petitioner namely, **Momor Ali Sk** has prayed for bail in connection with **Serfanguri P.S. Case No.15/2024** under Sections 379/411 of the IPC R/W Section 13 (1) of Assam Cattle Preservation Act.

The learned counsel for the petitioner submits that the petitioner owns a transportation business and is the registered owner of the vehicle from which 10 nos. of cows were recovered. As the cattle have already been recovered and seized, further custodial interrogation of the petitioner is not required.

Learned Addl.P.P. submits that substantial part of the investigation appears to be completed.

Having heard the learned counsel for the parties and on perusal of the averments made in the petition and considering the nature of allegation, this Court is inclined to grant the privilege of bail to the petitioner.

Accordingly, it is provided that the petitioner named above shall be released on furnishing bail bond of **Rs. 20,000/-** with one surety of like amount to the satisfaction of the learned **CJM, Kokrajhar** subject to the following conditions;-

- (i) The petitioner shall not leave the territorial jurisdiction of learned **CJM, Kokrajhar** without prior written permission from him/her;
- (ii) That the petitioner shall cooperate with the Investigating Officer as and when required;
- (iii) 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 Police Officer or the Court.

Violation of any condition shall tantamount to cancellation of bail.

This disposes of the bail application.

JUDGE

Comparing Assistant