

GAHC010145502024



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

Case No. : AB/1968/2024

SIRAJUL HOQUE @ NOWSA
S/O SAKIULLAH SHEIKH
R/O VILL- JHAPUSABARI PART-II
P.S. AGOMONI, P.O. JHAPUSABARI
DIST. DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : M HOSSAIN, MR J HUSSAIN, MD A WADUD

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

08.08.2024

Heard the learned counsel, Mr M Hossain, for the petitioner, Sirajul Hoque @ Nowsa, who has filed this application under Section 482 of the BNSS, 2023, with prayer for pre-arrest bail, as he is apprehending arrest in connection with Agomoni PS Case No. 21/2024, under Section 13(1) of the Assam Cattle Preservation Act, 2021, corresponding

to GR Case No. 359/2024.

2. Heard learned Additional Public Prosecutor, Mr B B Gogoi, for the State respondent.

3. The allegation against the petitioner is that the petitioner was selling beef.

4. It is submitted on behalf of the petitioner that the accused No. 1 was caught red-handed while selling beef, whereas the accused No. 2, i.e., the petitioner is not involved in this case and he has been falsely arrayed as an accused in connection with this case.

5. I have considered the submission on behalf of the petitioner that the petitioner is willing to cooperate with the investigation and abide by any stringent bail conditions, if imposed upon him.

6. I have also scrutinized the Case Diary.

7. Investigation has progressed to a considerable extent.

8. It appears that custodial interrogation of the petitioner may not be required.

9. In view of my foregoing discussions, petition is allowed. In the event of his arrest, the petitioner shall be enlarged on bail of Rs. 30,000/- with a suitable surety of the like amount to the satisfaction of the arresting authority under the conditions that-

- i) the petitioner shall appear before the IO within one week and cooperate with the investigation,
- ii) the petitioner shall refrain from such activities with which he is alleged,

and,

- iii) the petitioner shall not leave the jurisdiction of the Court, without prior permission.

9.1. On breach of any of the bail conditions, this pre-arrest bail order shall automatically stand cancelled.

10. Bail Application stands disposed of.

11. Send back the Case Diary.

JUDGE

Comparing Assistant