

GAHC010150492024



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

AB/1972/2024

SAFIKUL ISLAM
S/O ABDUL KARIM
VILL- NICHUKA
P.O. BARPETA ROAD

P.S. BARPETA ROAD

DIST. BARPETA
ASSAM
PIN CODE-781315

VERSUS

THE STATE OF ASSAM
TO BE REP BY THE PP
ASSAM

Advocate for : MR. A MANNAF
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 21.08.2024

Heard Mr.A Mannaf, learned counsel for the petitioner and Mr.

R.J.Baruah, learned Addl.P.P. for the State respondent.

This application under section 482 of the Bharatiya Nagarik Surakshya Sanhita, 2023 has been filed by the petitioner, namely **Safikul Islam** praying for pre-arrest bail apprehending arrest in connection with **Golakganj P.S. Case No. 163/ 2024** under Section 13(1) of Assam Cattle Prevention (Amendment) Act, 2021 read with Section 11 of Preservation of Cruelty to Animal Act, 1960.

Learned counsel for the petitioner submits that the petitioner is the owner of the truck bearing Registration No. AS-28-AC-0508 from which 46 nos. of cattle were recovered. He is no way connected with the alleged offence. He has also produced the Registration certification which reveals that he is the owner of the alleged truck and as such, petitioner may be enlarged on pre-arrest bail.

Learned Addl.P.P. does not object to the prayer of the petitioner.

Having heard learned counsel for the parties and in the backdrop of facts as emerged from the case diary, this Court finds it not expedient for custodial interrogation of the petitioner.

In view of above, the prayer for anticipatory bail is hereby granted.

It is provided that in the event of arrest of the petitioners, named above, he shall be released on **pre-arrest bail**, in connection with the above noted case on furnishing bail bond of **Rs.40,000/-** with one surety of like amount to the satisfaction of the arresting authority, subject, of course, to the following conditions:

(i) That the petitioner shall appear before the Investigating Officer within 10 days, failing which, on the 11th day, the anticipatory bail order shall automatically expire;

(ii) 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/her from disclosing such facts to the Court or to any police officer; and

(iii) That the petitioner shall refrain from committing any such offence/mistake of similar nature in future.

Return the case diary.

This disposes of the anticipatory bail application.

JUDGE

Comparing Assistant