

GAHC010184842024



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

Case No. : Bail Appln./2726/2024

MD. JOWAHER ALI
S/O SAHED ALI SK., R/O VILL- NO. 2 SERFANGURI, P.S.-GOSSAIGAON,
DIST- KOKRAJHAR (ASSAM)

VERSUS

STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : A W AMAN, MR S A BARBHUYAN, SAMIM RAHMAN, MS
SURAYA RAHMAN, MR. SURAJIT DAS, MR SARFRAZ NAWAZ

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 12.09.2024

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 filing this petition under Section 483 of the Bharatiya Nagarik Surakshya Sanhita, 2023 the accused-petitioner, namely, **Md. Jowaher Ali** has prayed for

grant of bail in connection with **Gossaigaon P.S. Case No.45/2024** under Section 379/411/34 IPC r/w Section 13 (1)/14 of the Assam Cattle Preservation (Amendment) Act.

The allegation in the FIR relates to illegal transportation of cattle for business purpose.

The learned counsel for the petitioner submits that petitioner was arrested on the basis of information from two co-accused persons namely, Jamal Uddin and one Saiful Islam who were guiding the vehicle No. AS-26 AC-0184 loaded with 10 Nos. of cattle in Grahampur area. The petitioner was arrested along with 3.5 kgs of beef at Padmabil village. However, as the petitioner is behind judicial custody for last 15 days since his arrest on 29.08.2024, considering the length of detention, his prayer for bail may be considered.

The learned Addl.P.P. has made no objection against the prayer of the petitioner. Having heard the learned counsel for the parties and on perusal of the FIR, forwarding report and on considering the nature of the offence, this court is of the view that further custodial interrogation of the petitioner is not required for the purpose of investigation of the case.

Accordingly, it is provided that the petitioner named above shall be released on furnishing bail bond of **Rs. 30,000/-** with a surety of like amount to the satisfaction of the learned **SDJM (M), Gossaigaon** subject to the following conditions;-

- (i) That the petitioner shall cooperate with the Investigating Officer as and when required;
- (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 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