

GAHC010201682022



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

Case No. : AB/2895/2022

AZAD ALI AND ANR
S/O LATE FAYEJ UDDIN
VILL- GERAMARI PART-I, P.O. GERAMARI, P.S. GAURIPUR
DIST. DHUBRI, PIN-783339,
STATE-ASSAM

2: RAFIKUL ISLAM @ OPIAL HAQUE
S/O ATOWAR RAHMAN
VILL- GERAMARI PART-I

P.O. GERAMARI
P.S. GAURIPUR
DIST. DHUBRI
PIN- 783339
STATE- ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. B PATHAK

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 21.03.2024

Heard Mr. B. Pathak, learned counsel for the petitioners. Also heard Mr. B.B. Gogoi, learned Additional Public Prosecutor appearing for the State.

This is an application filed under **Section 438 Cr.P.C.**, praying for pre-arrest bail by the petitioners, namely, **Azad Ali and Rafikul Islam @ Opial Haque**, in connection with **Gauripur P.S. Case No. 258/2022**, registered under **Section 379/411/34 of IPC r/w Section 13(1) of Assam Cattle Preservation Act, 2021**.

Mr. Gogoi, learned Additional Public Prosecutor submits that in this case, charge-sheet has already been submitted vide C.S. No. 451/2023 dated 24.08.2023. It is also submitted that interim protection has already been granted to the petitioners by this Court vide order dated 29.09.2022.

In view of above, the present petition is disposed of with a direction to the petitioners to appear before the learned court below within 10 days from today and if any bail application is filed, the same will be considered by the learned trial court in accordance with law. Till such appearance, the interim protection granted to the petitioners shall remain in force.

JUDGE

Comparing Assistant