

GAHC010208972024



2024:GAU-AS:12851

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

Case No. : AB/2699/2024

SAKAT ALI
S/O HASEN ALI, R/O DHANSIRI (GASHBARI, PUTHIMARI), P.S. DHULA,
DISTRICT DARRANG, ASSAM, PIN 784114

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A A R KARIM, MR S RAHMAN,MS G.PURI,Ms. R. R.
BORAH

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK**

ORDER

17-12-2024

Heard Mr. A A R Karim, learned counsel for the petitioner. Also heard Mr. B Sarma, learned Additional Public Prosecutor, Assam for the State.

2. Apprehending his arrest, the petitioner, namely, **Sri. Sakat Ali**, son of Hasen Ali, resident of village-Dhansiri, Gashbari, Puthimari, P.S.-Dhula, District-Darrang has filed this application under Section 482 BNSS, seeking pre arrest bail in **Mangaldai Police Station Case No. 188/2024** registered under Sections 303(2) BNS, corresponding to G.R. No. 635/2023.

3. Matter relates to theft of cows of the informant/complainant. In that regard an FIR was lodged before the Officer-in-Charge of Mangaldai Police Station on 10.07.2024 and accordingly, Mangaldai Police Station Case No. 188/2024 was registered under Sections 303(2) BNS, corresponding to G.R. No. 635/2024.

4. Petitioner submitted that he is no way connected with the case nor he is an FIR named accused in the case. As such, he should be considered for his bail in said Mangaldai P.S. Case No. 188/2024.

5. It is also submitted by the petitioner that he is not involved in any such business of cattle and he is apprehending that he may be arrested in said Mangaldai P.S. Case No. 188/2024 as police personnel from Mangaldai Police Station are in search of him.

6. Mr. B Sarma, learned APP, Assam has placed the relevant case diary before the Court.

7. From the case diary it is seen that the arrested accused persons of the case implicated the petitioner as to how the accused persons of the case committed theft of the cattle from various cowsheds of village-Medhisupari and with the help of boats took those cattle to Gorapori Chapari, from which the petitioner along with others took those cattle in some

vehicle to Dhula side paying Rs. 5,000/- to the arrested accused persons of the case.

8. Case diary indicates sufficient incriminating materials against the petitioner regarding his involvement in the alleged crime and those cattle are yet to be recovered.

9. Considering the above, this Court is of the view that this is not a fit case to grant pre-arrest bail to the petitioner, namely, **Sri. Sakat Ali**, son of Hasen Ali, in said **Mangaldai P.S. Case No. 188/2024**, corresponding to G.R. No. 635/2024.

10. Accordingly, this pre-arrest bail application stands rejected.

11. Return the case diary herewith.

JUDGE

Comparing Assistant