

GAHC010209872024



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

Case No. : Bail Appln./3078/2024

MD NASIB ALI
S/O HAFIZUDDIN ALI, R/O DR. ZAKIR HUSSAIN ROAD, SORUMOTORIA,
P.S.-DISPUR, DIST-KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR S M ABDULLAH P, MD IMRAN, MD R ISLAM, MR. S
RAHMAN, MS F HUSSAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : -04.10.2024

Heard Mr. S.M.Abdullah P, learned counsel for the petitioners 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. Nasib Ali** has prayed for

grant of bail in connection with **Nalbari P.S. Case No. 341/2024** under Section 303(2) of BNS, 2023 r/w Section 13(1) of Assam Cattle Preservation Act.

The allegation in the FIR in brief is that on 19.09.2024, the informant along with his staff, based on an information regarding an accident, recovered 9 Nos. of goats from the vehicle bearing Registration No. AS-01-FE-3640 which was coming from Barpeta side.

The learned counsel for the petitioner submits that the petitioner is innocent and is no way involved in the case. He has been arrested purely on suspicion. The goats were recovered. The petitioner has been languishing in judicial custody for last 15 days since his arrest on 20.09.2024 and as such, the petitioner may be enlarged on bail.

The learned Addl.P.P. submits that as the stolen goats were already recovered, bail prayer of the petitioner may be considered.

Having heard the learned counsel for the parties and on perusal of the Forwarding report and the averments made in this petition, this court is inclined to grant the privilege of bail to the petitioner.

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 **CJM, Nalbari**, 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