

GAHC010246262023



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

**Case No. : AB/3696/2023**

HAJRAT ALI  
S/O SAMSUDDIN, R/O VILL-GERUBAMUKH PACHIM KHANDA, P.S.-  
KAHTOWAL, DIST-NAGAON (ASSAM)

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner** : MR. T CHUTIA

**Advocate for the Respondent** : PP, ASSAM

**BEFORE**  
**HON'BLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**29.05.2024**

Heard Mr. T. Chutia, learned counsel for the applicant and also heard Mr. B. Sarma, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

2. Apprehending arrest in connection with Sonapur P.S. Case No.203/2023, under Section 379/411 IPC, read with Section 11(a)(b)(d) of the Prevention of Cruelty to Animals Act, 1960, read with Section 13(1)/14 of the Assam Cattle Preservation Act, 2021, this application under Section 438 Cr.P.C. is preferred by applicant, namely, Hajrat Ali, for grant of pre-arrest bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of an FIR lodged by S.I. Rohit Singh of Sonapur P.S., on 21.09.2023. The essence of allegation made in the aforesaid FIR is that on that day, at around 1:00 a.m., acting on a tip off, the informant intercepted one vehicle, bearing Registration No.AS-02CC-9904 and found 24 nos. of cattle, being carried in the vehicle in an atrocious manner, without relevant documents and the driver and the handyman of the vehicle managed to flee away, taking advantage of darkness.

4. Mr. Chutia, learned counsel for the applicant submits that the applicant is the owner of the vehicle and he is no way involved with the offence alleged in the FIR and he was granted the privilege of interim pre-arrest bail by this Court vide order dated 18.01.2024 and pursuant to the said order, he had appeared before the I.O. and cooperating with the investigating agency and therefore, it is contended that the interim order dated 18.01.2024, may be made absolute, in the same terms and conditions.

5. On the other hand, Mr. B. Sarma, learned Additional Public Prosecutor, Assam, submits that he has not received the case diary. But, as per his instruction the I.O. has completed investigation and submitted charge-sheet, being Charge-Sheet No.32/2024, dated 20.02.2024.

6. In view of the submission of learned Advocates of both sides, this Court is inclined to dispose of this anticipatory bail application by directing the applicant to appear before the learned Trial Court on or before **13.06.2024** and to apply for regular bail, and in the event of filing such an application, the learned Trial Court shall consider the same in accordance with law. Till then, interim order passed on 18.01.2024 stands extended.

7. In terms of above, this anticipatory bail application stands disposed of.

**Sd/- Robin Phukan**  
**JUDGE**

**Comparing Assistant**