

GAHC010258442024



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

Case No. : Bail Appln./3746/2024

SAKAN ALI @ SAKAN ALI
S/OLT. KISMAT ALI SHEIKH
VILL- SHIMULTAPU BLOCK,
P.S. GOSSAIGAON,
DIST. KOKRAJHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR SARFRAZ NAWAZ, MD A RAHMAN, SAMIM RAHMAN, MS
SURAYA RAHMAN, MR A W AMAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : -12.12.2024

Heard Mr. A.W.Aman, learned counsel for the petitioner as well as Ms. N.Das,
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, **Sakan Ali @Sakan Ali** has prayed for grant of bail in connection with **Gossaigaon P.S. Case No. 152/2024** under Sections 325/3(5) of BNS, 2023 r/w Section 13(1) of the Assam Cattle Preservation Act, 2021.

The allegation in the FIR dated 18.09.2024 reveals recovery and seizure of 130 Kgs. of suspected beef from the vehicle bearing regd. No. AS01EQ7146 going towards Sapatgram area via Tulshibil.

The learned counsel for the petitioner submits that the petitioner is in judicial custody for 17 days since his arrest on 26.11.2024. He has been arrested merely on the basis of the statement of the FIR named accused persons. Nothing was recovered from the possession of the petitioner and as such, considering length of detention, he may be released on bail.

The learned Addl.P.P. submits that considering the length of detention, bail may be considered to the petitioner with some stringent condition.

Having heard the learned counsel for the parties and on perusal of the FIR, Forwarding report and considering the above, this Court is of the considered opinion that further custodial interrogation of the petitioner is not warranted.

Accordingly, it is provided that the petitioner named above shall be released on furnishing bail bond of **Rs. 20,000/-** with a suitable surety of like amount to the satisfaction of the learned **SDJM, Gossaigaon** , subject to the following conditions;-

- (i) That the petitioner shall not leave the territorial jurisdiction of learned SDJM (M), Gossaigaon, Assam, without prior written permission from him/her;
- (ii) That the petitioner shall cooperate with the Investigating

Officer as and when required;

- (iii) 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