

GAHC010284642023



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

Case No. : AB/4247/2023

ABDUL RAHMAN AND ANR
S/O ABUL KADIR
R/O VILL- OUANA
P.S. RUPAHIHAT
DIST. NAGAON, ASSAM

2: SOFIQUL ALOM CHOUDHURY
S/O ABDUL MOTIN CHOUDHURY
VILL- BIDYAPARA PT. 2
A M CO ROAD
P.S. DHUBRI
DIST. DHUBRI
ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. T CHUTIA

Advocate for the Respondent : PP, ASSAM

BEFORE

HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

22.01.2024

Heard Mr T Chutia, learned counsel appearing on behalf of the petitioners. Also

heard Mr B B Gogoi, learned Additional Public Prosecutor appearing for the State respondent.

2. This is an application under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioners, namely, Abdul Rahman and Sofiqul Alom Choudhury, in connection with Sonapur P.S. Case No. 261/2023, registered under Section 379/411 IPC, R/W Section 11(1)(a)(b)(d) of Prevention of Cruelty to Animal Act, 1960, R/W Section 13(1)/14 Assam Cattle Preservation Act, 2021.

3. It is alleged that 32 head of cattle were recovered from the truck bearing registration No. AS-27-C-6567, which are suspected to be stolen and they were thus seized. It is submitted that the petitioner no. 1 is the owner of the said cattle and the petitioner no. 2 is the registered owner of the said vehicle. It is also submitted that the purchase slip of the cattle relating to purchase of cattle is marked as Annexure-3 series.

4. I have considered the submissions at the Bar.

5. It is submitted at the Bar that the petitioners have appeared before the IO and their statements have been recorded.

6. I have also perused the Case Diary.

7. Perusal of the Case Diary reveals that the investigation has progressed to a considerable extent. The petitioner has not violated any bail conditions..

8. Considering all aspects, the interim order dated 19.12.2023, is hereby made

absolute, under the same terms and conditions.

9. Anticipatory Bail Application stands disposed of.

10. Send back the Case Diary.

JUDGE

Comparing Assistant