

GAHC010288912023



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

Case No. : AB/4282/2023

KHUDEJA KHATUN
W/O HABIBUR RAHMAN
R/O VILL- 3 NO. BHURBANDHA, P.O. AMBAGAN, DIST.NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM
THROUGH THE PP, ASSAM

Advocate for the Petitioner : M. HOSSAIN

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

22.01.2024

Heard Mr M Hussain, learned counsel appearing on behalf of the petitioner, Khudeja Khatun. 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 Cr.P.C. filed by the applicant, namely, Khudeja Khatun for grant of pre-arrest bail in respect to Khetri P.S. Case

No.201/2023, registered under Sections 379/411/34 of the IPC read with Sections 13(1)/16 of Assam Cattle Preservation (Amendment) Act, 2021 and Section 11(1) (a), (d) (e) of the Prevention of Cruelty to Animals Act, 1960.

3. I have considered the submissions at the Bar with circumspection.

5. It is submitted that the petitioner is the owner of the vehicle. She was not privy to the allegation that the cattle was smuggled with the help of her vehicle.

6. It is also submitted at the Bar that the petitioner has appeared before the IO and her statement has been recorded.

7. I have considered the submission that the petitioner has not violated any bail conditions.

8. I have also perused the Case Diary.

9. The petitioner is a local resident and she is not a flight risk and has cooperated with the investigation as well as trial.

8. Considering all aspects, the interim order dated 22.12.2023, 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