

GAHC010292062023



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

Case No. : AB/4340/2023

HIFJUR RAHMAN
S/O- ABDUL AJIJ, R/O- PUB MUKUNDA, P.S. JURIYA, DIST. NAGAON,
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A T SARKAR

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

22.01.2024

Heard Mr S Hussain, learned counsel for the petitioner, Hifjur Rahman and Mr M P Goswami, learned Additional Public Prosecutor for the State of Assam.

2. The petitioner has filed this application under Section 438 CrPC, with prayer for pre-arrest bail, as he is apprehending arrest in connection with Khetri PS Case No.

158/2023, registered under Sections 379/411/34 IPC, read with Section 11 of the Prevention of Cruelty to Animal Act, 1960 and Sections 7/13 of the Assam Cattle Preservation Act, 2021.

3. I have considered the submissions at the Bar.
4. It is submitted at the Bar that the petitioner is the owner of the vehicle and he was not privy to the allegation that the cattle was being smuggled through his vehicle.
5. I have considered the submission that the petitioner is a local resident and he has cooperated with the investigation.
6. I have also perused the Case Diary.
7. The petitioner has appeared before the IO and his statement has been recorded. The petitioner has not violated any bail conditions.
8. Considering all aspects, and in view of my foregoing discussions, 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