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

Case No. : AB/2408/2026

SHARIFUL ISLAM
S/O JAYNAL ABEDIN SHEIKH, R/O SONALDUBI, P.S. GOSSAIGAON,
DISTRICT KOKRAJHAR, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. A AHMED, U U KHAN,MISS. P M AHMED,MR. M A CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date :05.10.2026

Heard Mr. S. Ahmed, learned counsel for the applicant. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State respondent.

2. Apprehending arrest in connection with Golakganj P.S Case No. 151/2026, under Sections 281/324(3)/325/3(5) of BNS, 2023, read with Section 13(1) of

Assam Cattle Preservation Act, 2021, this application under Section 482, BNSS has been preferred by applicant, namely, Shariful Islam, 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 one Piju Pegu, SI(P) of Golakganj P.S. on 02.07.2026. The essence of allegation in the FIR dated 02.07.2026, is that at about 11:30 p.m., while the CDSP, Golakanj along with other staff were performing night duty, they had noticed one WagonR vehicle, bearing registration No. AS-16-H-8264, near Balajan bridge and the driver attempted to flee away and accordingly, the vehicle was chased. While fleeing away, the vehicle met with an accident at Dhepdhepi Chariali and crashed into a fertilizer shop owned by one Karuna Kanta Ray and Saurav Ray. After causing the accident, the accused persons fled away from the spot immediately and during search, six numbers of cattle were found inside the said vehicle with their mouth and legs tied in a cruel and inhuman manner and that the accused persons are involved in illegal smuggling of stolen cattle.

4. Mr. Ahmed, learned counsel for the applicant submits that the applicant is innocent and no way involved with the offence alleged in the FIR. He also submits that the charge-sheet has been submitted and the applicant will appear before the learned trial Court and till his appearance, interim protection may be granted.

5. Mr. Borthakur, learned Additional Public Prosecutor also submits that after completion of investigation, the I.O. has laid charge-sheet, being charge-sheet No. 180/2026, dated 28.08.2026.

6. In view of the submissions of learned Advocates of both sides, this Court is

inclined to dispose of this application by directing the applicant to appear before the learned trial Court on or before 15.10.2026, and to apply for regular bail and in the event of such an application being filed, the learned trial Court shall consider the same, in accordance with law.

7. Till then, in the event of arrest of the applicant in connection with Golakganj P.S Case No. 151/2026, under Sections 281/324(3)/325/3(5) of BNS, 2023, read with Section 13(1) of Assam Cattle Preservation Act, 2021, he shall be released on interim pre-arrest bail on executing a bond of Rs. 10,000/- with one surety of like amount to the satisfaction of the arresting authority. The above privilege is, however, subject to the following conditions:

(i) The applicant shall appear before the learned trial Court on or before 15.10.2026;

(ii) The applicant 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 Court or to any police officer; and

(iii) The applicant shall not leave the jurisdiction of the learned Chief Judicial Magistrate, Dhubri without prior permission.

8. In terms of above, this application stands disposed of.

JUDGE

Comparing Assistant