GAHC010217332026

2026:GAU-AS:15179

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

Case No. : Bail Appln./3038/2026

SAMAN DEWAN
SON OF AMSER ALI, RESIDENT OF SAWKUCHI NEAR NEF COLLEGE, P O SAWKUCHI, P S BASISTha, DISTRICT KAMRUP METRO, ASSAM, PIN 781040. PERMANENT ADDRESS VILLAGE CHENIMARI, P O CHENIMARI, P S TARABARI, DISTRICT BARPETA, ASSAM, PIN 781305.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. SK S N MOHAMMAD, FARNAZ N A HUSSAIN,MR ARJU IKBAL

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 08.10.2026

Heard Mr. Sk. S. N. Mohammad, the learned counsel for the accused applicant. Also heard Mr. M. P. Goswami, the learned Addl. Public Prosecutor for the State.

2. This is an application under Section 483 of the BNSS, 2023 praying for grant of bail to the accused applicant, Saman Dewan, in connection with Basistha P.S. Case No. 334/2026 under Section 325 BNS read with Section 13 (1) of Assam Cattle Preservation Act.

3. An FIR was lodged on 01.09.2026 before the Basistha Police Station, alleging *inter-alia* that on 1st of September, 2026, the informant received an information that Dawat Hotel, situated at Kanaklata Path, Sawkuchi is involved in the illegal sale of beef. Acting on the information, the police team visited the premises and upon inspection, they found that the hotel was selling beef openly and discovered a significant quantity of raw beef stored in freezer. The owner of the hotel identified as Saman Dewan and on investigation, police recovered approximately 27 kgs of beef from the premises. It is also alleged that the hotel located in a predominantly Hindu locality with Hindu temples in the nearby vicinity.

4. On receipt of the FIR, police registered Basistha P.S. Case No. 334/2026 under the aforementioned section.

5. The learned counsel appearing for the accused applicant submits that the accused applicant has been running the said hotel for last 2 years. He further submits that raw meat that has been recovered has mistakenly termed as beef meat and those are the meat of Buff. He further submits that no offence has been committed by the accused applicant and as such, the accused applicant should be granted bail.

6. On the other hand, the learned Addl. Public Prosecutor opposes the prayer of bail, stating that the raw meat, which was recovered, is beef meat and the same has been sent for FSL for report, which is still awaited. Accordingly, he opposes the prayer of the bail of the accused applicant.

7. The case diary in the instant case has been received and the same is perused.

8. This Court has also considered the submissions made by the learned counsel appearing for the respective parties.

9. Taking into account the materials available in the case diary and having found *prime facie* incriminating materials about involvement of the accused applicant in the

instant case, which are in violation of the provisions of Assam Cattle Preservation Act, this Court is not inclined to grant any relief to the accused applicant at this stage. Accordingly, the prayer for bail stands rejected at this stage.

10. Return the case diary.

JUDGE

Comparing Assistant