GAHC010217592026

2026:GAU-AS:16194

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

Case No. : AB/2494/2026

ASHRAB ALI ALIAS ASRAFUL ISLAM AND ANR
S/O SAHABUDDIN ALIAS SAHABUDDIN MANDAL, P. R/O VILL NACHANKURI PT II, PS MANIKPUR, DIST BONGAIGAON, ASSAM, PIN 783390 AND T RO VILL BHUYANPARA, PS MERERCHAR, DIST BONGAIGAON, ASSAM, 783381

2: FARHAD FAKIR ALIAS FARHAD ALI
S/O MUCHA ALIAS MUSA FAKIR
R/O VILL BHUYANPARA
PS MERERCHAR
DIST BONGAIGAON
ASSAM
78338

VERSUS

THE STATE OF ASSAM
TO BE REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. J ABBAS, MS. FARJINA AJMI,SK ABDULLAH

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : Date: 04.11.2026

Heard Mr. J. Abbas, learned counsel, appearing on behalf of the accused-applicants. Also heard Mr. K.K. Parashar, learned Addl. PP, representing the State respondent.

2. This is an application, under Section 482 of BNSS, 2023, seeking pre-arrest bail by the accused-applicants in connection with Mererchar P.S. Case No. 29/2026, registered under Sections 331(4)/302(2)/351(2) of BNS, 2023, read with Section 13(1) of the Assam Cattle Preservation (Amendment) Act, 2021.

3. An FIR was lodged on 04.09.2026 by one Mofidul Islam, before the Officer In-charge, Mererchar PS, alleging that he found out one of his calves (bullock) had been missing. On search being made, the same could not be found. However, on 04.09.2026, in the morning, it was seen that the FIR named accused persons, including the accused-applicant had slaughtered the calf.

4. The learned counsel for the accused-applicants submits that they were not involved in any stealing or slaughtering of the cow, however, they have consumed the meat of the cow. He submits that since, they were not involved in slaughtering of the cow and they have only consumed the meat of the cow, they should be granted pre-arrest bail.

5. Case Diary in the instant case has already been received and the same is perused.

6. Taking into account the entire facts of the matter, this court is of the considered opinion that the accused-applicants should be granted pre-arrest bail.

Accordingly, it is directed that in the event of arrest of the accused-applicants by the investigating authority in connection with the instant case, they shall be released on pre-arrest bail on furnishing a bail bond of Rs. 30,000/- (Rupees Thirty Thousand) each with a surety of like amount to the satisfaction of the arresting authority, subject to the following conditions: -

(1) That the accused-applicants shall appear before the Investigating officer within ten (10) of passing of the order and fully co-operate in the investigation of the case.

(2) The accused-applicants shall neither hamper the investigation nor tamper with any evidence nor influence any witnesses connected with the case.

7. In view of the aforesaid directions, the instant anticipatory bail application is disposed of as allowed.

JUDGE

Miriam Degu
(SPA)