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

Case No. : AB/2512/2026

MD IMRAN ALI
SON OF SAHABUDDIN ALI RESIDENT OF CHAULKHOWA
GHARBANDICHUK, P.S- DIBRUGARH DISTRICT- DIBRUGARH, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR J K Bhuyan, MS. P GHOSH,MS B GOGOI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

Date : 06-10-2026

Heard Mr. JK Bhuyan, learned counsel for the petitioner. Also heard Mr. KK Das, learned Additional Public Prosecutor, appearing for the State respondent.

2. This is an application under Section 482 of the BNSS, 2023, praying for granting pre-arrest bail to the accused person, namely, Md. Imran Ali**,** in connection with PRC Case No. 834/2025, under Section 303(2) of the BNS, 2023 read with Section 13(1) of the Assam Cattle Reservation Act read with Section

11(1) of the Prevention of Cruelty to Animals Act pending before the court of the learned SDJM(S), Dibrugarh, arising out of Borboruah P.S. Case No. 42/2025.

3. The learned counsel for the petitioner has submitted that during the investigation period, the petitioner had not been arrested by the Police nor was he issued or received any summons to appear or participate in the investigation. Accordingly, it was only on receipt of the summons from the learned Trial Court that the petitioner came to know about the pendency of the case against him. The petitioner had also entered appearance before the learned SDJM(S), Dibrugarh through his counsel and since he could not be present in the proceeding on that day, a petition showing cause was also filed, which was allowed.

4. The petitioner had thereafter moved an application praying for pre-arrest bail before the learned Additional Sessions Judge, Dibrugarh, being Crl.Misc. (B) Case No. 170/2026, which was disposed of on 23.07.2026 by noting that the charge-sheet had recorded the petitioner as absconding and accordingly, the Court of the learned Additional Sessions Judge, Dibrugarh did not find it a proper case to grant the privilege of pre-arrest bail.

5. The learned counsel for the petitioner has submitted that the petitioner is eager to participate in the trial and he apprehends that he may be taken into custody if he appears before the committing Court at this stage, since the

matter is Sessions triable. He has accordingly prayed for grant of pre-arrest bail in the matter to allow him to participate in the trial of the case.

6. The learned Additional Public Prosecutor has submitted that the petitioner has remained an absconder in the entire investigation of the case and it was only on specific information collected by the Investigating Authority about the role of the petitioner involving the theft of cattle that was unearthed. He submits that the order of the learned Additional Sessions Judge, Dibrugarh rejecting the prayer for pre-arrest bail is a reasoned order and there would be no requirement for this Court to grant the petitioner the privilege of pre-arrest bail.

7. I have gone through the records placed before me. It appears that the petitioner is eager to participate in the trial proceedings and he has entered appearance before the committing Court on 04.06.2026 through his counsel and has also prayed for the privilege of pre-arrest bail before the Court of the learned Additional Sessions Judge, Dibrugarh.

8. Keeping in view the eagerness of the petitioner to participate in the trial, I am of the considered opinion that the petitioner can be granted the privilege of pre-arrest bail for participating in the trial.

9. Accordingly, it is provided that, in the event of his arrest on or before 16.11.2026, on which date the case is next fixed before the learned SDJM(S), he shall be released on bail on furnishing a bond of Rs.15,000/- with two

sureties of the like amount, to the satisfaction of the learned SDJM(S), Dibrugarh.

10. It is made clear that in the event the petitioner fails to appear before the learned SDJM(S), Dibrugarh on or before the date fixed for proceedings, the grant of privilege of pre-arrest bail shall stand revoked automatically.

11. The anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant