GAHC010221502026

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

Case No. : Bail Appln./3131/2026

HUSSAIN ALI ALIAS HOSEN ALI AND 5 ORS.
S/O- MOKADDES ALI R/O-VILLAGE- KATARIHARA

2: SONA ULLAH ALIAS SONAULLAH
S/O- FAIZAL HOQUE VILL- FOLIMARI

3: SONABUDDI
S/O- JURAN ALI VILL- GHUGUDOWA

4: NILSAN SK

S/O- ABUL KASHEM VILL- BAMUNARVITA

5: SANUWAR HUSSAIN ALIAS ANOWAR HUSSAIN
S/O- MAFIJ UDDIN VILL- KATARIHARA

6: NALSAN SEKH ALIAS LALCHAN SK
S/O- ABUL KASHEM VILL- BAMUNARVITA ALL ARE P.S.- LAKHIPUR DIST- GOALPARA ASSAM PIN- 78312

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P., ASSAM

Advocate for the Petitioner : MR. M I HUSSAIN, N. UDDIN,MR. R ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 12.10.2026

Heard Mr. N. Uddin, learned counsel, appearing on behalf of the accused-applicants. Also heard Mr. K.K. Parasar, learned Addl. P.P., representing the State respondent.

2. This is an application filed under Section 483 of the BNSS, 2023, praying for grant of bail to the accused-applicants in connection with Lakhipur P.S. Case No. 137/2026, registered under Sections 303(2)/3(5) of BNS, 2023, read with Section 13(1) of the Assam Cattle Preservation Act, 2021.

3. An FIR was filed on 18.08.2026 by one Abejur Rahman, before the Officer In-charge of Lakhipur police station, alleging that certain persons were engaged in stealing cattle and illegally transporting them outside the state. It is alleged that on 17.08.2026, at about 6:30 PM, accused nos. 1 and 2 were intercepted by members of the public near the Bhimkhoj Ferry Ghat while they were allegedly found in possession of 10 stolen cattle. It is also alleged that accused nos. 3 and 6 were subsequently intercepted near the Dhumerghat High School with another 12 stolen cattle. The police recovered a total of 22 cattle from the possession of the accused-applicants.

4. On the basis of this FIR, the police registered Lakhipur Police Station Case No. 137/2026, under the aforementioned Sections.

5. The learned counsel for the accused-applicants submits that the accused-applicants were arrested on 17.08.2026, and have been behind bars for the past 58 days. He submits that, taking into consideration the prolonged detention of the accused-applicants, their further custodial detention may not be required in the

instant case and therefore, prays that the accused-applicants should be granted bail at this stage.

6. The learned Addl. PP opposes the prayer for bail, stating that the charge-sheet in the matter is yet to be filed.

7. The court has considered the submissions made by both parties and perused the case records.

8. Taking into account the fact that the accused-applicants have already spent 58 days behind bars, this court is of the view that the accused-applicants should be granted bail at this stage. Accordingly, it is directed that the accused-applicants shall be released from jail upon executing a bail bond of Rs. 30,000/- (Rupees Thirty Thousand only) each, with a surety of like amount to the satisfaction of the court of learned Chief Judicial Magistrate, Goalpara, subject to the conditions that the accused-applicants shall cooperate with the investigation and shall not directly or indirectly, induce, threaten or influence any witness, or tamper with the evidence of the case.

9. In terms of the aforesaid directions, the instant bail application is disposed of as allowed.

JUDGE

Miriam Degu
(SPA)