GAHC010221612026

2026:GAU-AS:14830

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

Case No. : Bail Appln./3133/2026

MUNNAF ALI ALIAS BAUNA AND ANR
S/O- LATE MOHNUR ALI, R/O-1 NO. LAHARKATHA, P.S.- MUKALMUA,
DIST- NALBARI, ASSAM.

2: MOJNUR ALI
S/O- LATE SUKHNA ALI
R/O-1 NO. LAHARKATHA
P.S.- MUKALMUA DIST- NALBARI
ASSAM

VERSUS

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

Advocate for the Petitioner : MR S M ABDULLAH P, MR. J JAKARIA,MR. MD IMDAD,MD IMRAN,MD R ISLAM,MS F HUSSAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

05.10.2026

Heard Mr M D Imdad, learned counsel for the petitioners. Also heard Mr B Sarma, learned Additional Public Prosecutor for the State of Assam.

2. By this application the petitioners have prayed for bail in connection with Azara PS Case No. 132/2026, registered under Sections 305(a) of the BNS, 2023.

3. The FIR in connection with which the petitioners were arrested on 15.09.2026, was lodged by one Baikuntha Kalita, stating, *inter alia,* that unknown thieves have stolen five numbers of cattle from his cowshed.

4. The learned counsel for the petitioners submits that the petitioners were arrested only on suspicion and no specific materials were collected against them.

5. On the other hand, the learned Additional Public Prosecutor submits that it is reflected in the forwarding report that the petitioners have themselves confessed that they have stolen the cows and that they are habitual cattle llifters and has prayed for calling of the Case Diary to see the complicity of the petitioners.

6. Upon consideration of the submissions made by the learned counsel for all the parties, and, more so, in view of the fact that the petitioners were arrested only on suspicion and on the alleged confession made by them before the Police, this Court finds it fit to enlarge the petitioners on bail on furnishing bail bonds of Rs. 20,000/-, with one local surety of the like amount to the satisfaction of the CJM, Kamrup (Metro), under the following conditions:-

i) the petitioners shall appear before the Investigating Officer/concerned Court, as and when called for.

ii) the petitioners shall not hamper and tamper with the evidence of the case, and/or influence the witnesses; and

iii) the petitioners shall not leave their residence without prior permission of the Investigating Officer/jurisdictional Court.

7. Bail Application stands disposed of.

JUDGE

Comparing Assistant