GAHC010223502026

2026:GAU-AS:16690

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

Case No. : AB/2554/2026

KHAIRUL HOQUE AND ANR
S/O- MESER ALI,
PERMANENT RESIDENT OF -GALAND HABI, P.S. DHULA, P.O.-
BHAKATPARA, DISTRICT- DARRANG, ASSAM.

2: ABDUL SALAM
S/O MUJAMMEL HAQUE
PERMANENT RESIDENT OF- BAGHPARI
P.S.- MANGALDAI
P.O. -MANGALDAI
DISTRICT- DARRANG
ASSAM
PIN- 784125

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. M A SHEIKH, MS F INTAZ,MS S AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 12.11.2026

Heard Mr. M.A. Sheikh, learned counsel appearing on behalf of the accused-applicants. Also heard Mr. B. Sarma, 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 Changsari P.S. Case No. 214/2026, registered under Sections 303(2)/317(2) of BNS, 2023, read with Section 11(1)(a)(d) of Prevention of Cruelty to Animal Act, 1960, read with Section 13(1) of Assam Cattle Preservation (Amendment) Act, 2021.

3. The accused-applicants are apprehending arrest in connection with an FIR, with allegations that the trucks owned by the accused persons have been used for transporting cattle in an inhuman manner.

4. On receipt of the FIR, the police registered Changsari P.S. Case No. 214/2026, under the aforementioned sections.

5. The learned counsel for the accused-applicants submits that the accused-applicants are only the owners of the trucks and they were not involved in illegal purchase of cattle neither they were involved in inhuman trafficking of the cattle, as the owners of the cattle were different persons. He submits that the Zimma of the respective vehicles have already been given to the accused-applicants and therefore, taking into account the aforesaid, the accused-applicants should be granted pre-arrest bail.

Case Diary in the instant matter has been received and the same is perused.

6. Mr. B. Sarma, learned Addl. PP, on the other hand, opposes the prayer of bail.

7. Taking into account the entire facts of the case as well as the allegations made, this court is of the considered opinion that the accused-applicants should be allowed to go on pre-arrest bail. Accordingly, it is directed that in the event of arrest of the accused-applicants, they shall be released on pre-arrest bail on furnishing a bail bond of Rs. 50,000/- (Rupees Fifty 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 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.

8. In terms of the above, the instant AB application stands disposed of.

JUDGE

Miriam Degu
(SPA)