GAHC010235502026

2026:GAU-AS:16534

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

Case No. : AB/2701/2026

JAKIR ALI AND 2 ORS.
S/O RUSTAM ALI, VILL MUCHALMAN GAON, P.STARABARI, DIST BARPETA, ASSAM.

2: ATIKUR RAHMAN ALIAS ATIQUR REHMAN
C/O SAHIDA BEGUM
R/O- HOUSE NO.6
MILANPUR PATH
SIJUBARI
WARD NO.29
P.S HATIGAON
DIST KAMRUP M
ASSAM

3: PRAMJIT CHETIA
S/O PRANTAJOTE CHETIA
PERMANENT RESIDENT OF VILL SINGIMARI
PS NORTH LAKHIMPUR
DIST LAKHIMPUR
ASSAM
PRESENTLY RESIDING AT LALON GAON
KAKIPARA
LAKHARA BYE LANE-1
PS- GARCHUK
DIST. KAMRUP (M)
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A ALI, S RAHMAN,MR S ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 11.11.2026

Heard Mr. S. Islam, 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 Nalbari P.S. Case No. 256/2026, registered under Sections 303(2)/317(2)/325 of the BNS, 2023 read with Sections 11(1)(a)(d)(e)(h)(l) of the Prevention of Cruelty to Animal Act, 1960 read with Section 13(1) of the Assam Cattle Preservation Act, 2021.

3. The allegations as alleged in the FIR dated 10.10.2026 are that the police received information about transportation of illegal of cattle in a vehicle. The police reached the spot and found 35 nos. of cattle loaded in the backside of the vehicle in a cruel, overloaded and pathetic manner without maintaining any safety measures, adequate space and food or water. It was also found that one cattle had already died. On enquiry, the driver and the person present in the vehicle could not produce any valid documents to the police about legal purchase and transportation of the cattle.

4. On receipt of the FIR, the police registered Nalbari P.S. Case No. 256/2026, under the aforementioned sections.

5. The learned counsel for the accused-applicants submits that the cattle were purchased with valid documents and they were being transported legally by the accused-applicants, therefore, no crime has been committed by the accused-applicants in the instant case and they should be granted pre-arrest bail.

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

7. The learned Addl. PP, on the other hand, opposes the prayer of bail of the accused-applicants.

8. On considering the materials available in the Case Diary and on having found prima facie materials against the accused-applicants in the Case Diary, this court is not inclined to grant any relief to the accused-applicants at this stage.

9. Accordingly, the instant AB application is disposed of.

JUDGE

Miriam Degu
(SPA)