

GAHC010012512026



2026:GAU-AS:2721

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

Case No. : AB/182/2026

EUSUF ALI
C/O- DANEJ ALI,
R/O- VILL- KAWANBARI, P.O- RANGAMATI, P.S- GAURIPUR, DIST.-
DHUBRI, ASSAM, PIN -783339

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : , R AMIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 23.02.2026

Heard Mr. R. Amin, learned counsel appearing for the accused-applicant. Also heard Mr. K. K. Parasar, learned Addl. P.P., representing the State respondent.

2. This is an application, filed under Section 482 of the BNSS, 2023, praying for grant of pre-arrest bail to the accused-applicant in connection with Gauripur P.S. Case

No. 355/2024 (corresponding to GR No. 1335/2024, registered under Section 13(1) of the Assam Cattle Prevention (Amendment) Act, 2021.

3. An FIR was lodged on 04.11.2024, alleging that some miscreants were transporting cattle from Kaunbari area via Fulkatari through Tipkai river with the intent to smuggle cattle to Bangladesh by engine boat. On receipt of the information, the police team went to the spot and arrested two persons, namely, Billal Hussain and Moynal Hoque.

4. On receipt of the FIR, Gauripur P.S. Case No. 355/2024 was registered under the aforementioned sections against the accused-applicant. During investigation, the police filed the Charge-sheet vide Charge-sheet No. 70/2025 dated 28.02.2025.

5. The learned counsel appearing for the accused-applicant submits that the name of one person, namely, *Eusuf* has been mentioned in the FIR and against the name *Eusuf*, the father's name has been shown as *Sheiksaab*. He submits that the charge-sheeted person, namely, *Eusuf* is not him and he is no way connected with any smuggling acts or cattle transportation to Bangladesh. He submits that in the FIR also, the name of one Eusuf Ali appears but, the same is not him, as the father's name is shown as Sheiksaab, whereas, the accused-applicant's father name is Danish Ali. The learned counsel submits that since the name of the accused-applicant has appeared in the FIR as well as in the Charge-sheet showing his father's name differently, the accused-applicant cannot be the person actually the Investigating Officer is looking for. He submits that summons have been issued to the accused-applicant wherein also, though his name is shown as Eusuf Ali, the father's name has been shown as Sheiksaab, who is not his father. In view of the aforesaid, he submits that since the police is looking for him, he is apprehending arrest and therefore, at this stage, he should be allowed to go on pre-arrest bail.

6. The learned Addl. P.P., on the other hand, submits that though the name of the father of the accused-applicant has been shown as Sheiksaab, it seems that the FIR named person and the Charge-sheet named person is the accused-applicant only.

Therefore, he submits that at this stage, the bail should not be granted to him.

7. Taking into account the whole aspects of the matter, this Court is of the considered view that at this stage, the accused-applicant should be allowed to go on pre-arrest bail. Accordingly, it is directed that in the event of arrest of the accused-applicant in the instant case by the Investigating Officer, he shall be released on bail on furnishing a bail bond of Rs. 30,000/- (Rupees Thirty Thousand only) with a surety of like amount to the satisfaction of the learned JMFC, Dhubri, subject to the following conditions: -

(1) that the accused-applicant shall appear before the learned court of JMFC, Dhubri, within a period of 10(ten) days of passing of this order.

(2) The accused-applicant shall not hamper the investigation nor tamper with any evidence nor influence any witnesses connected with the case and shall appear as and when called for and fully co-operate in the investigation of the case.

8. In the aforesaid terms, the instant anticipatory bail application is disposed of.

JUDGE

Comparing Assistant