

GAHC010160162026



undefined

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

Case No. : AB/1760/2026

MD SHOEB ALI ALIAS SHOEB KHAN AND ANR
S/O SALIM KHAN, PERMANENT RESIDENT OF HOUSE No. 3341,
BHOMIYAJI KA MANDIR, CHOWKDI TOPKHANA, GHATGATE, JAIPUR,
RAJASTHAN.

2: SALIM KHAN
S/O SHER KHAN
PERMANENT RESIDENT OF HOUSE No. 3341
OMIYAJI KA MANDIR
CHOWKDI TOPKHANA
GHATGATE
JAIPUR
RAJASTHA

VERSUS

THE STATE OF ASSAM,
REPRESENTED BY SPECIAL PP, ASSAM.

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

Advocate for the Respondent : SPECIAL PP ASSAM, SPECIAL PP, FOREST DEPTT., ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA**

ORDER

Date : -04.08.2026

Heard Mr.S.M. Abdullah P., learned counsel for the petitioners. Also heard Mr. B. Sharma, learned Special Public Prosecutor appearing for the State of Assam.

2. This is an application under Section 482 of the BNSS, 2023 whereby the petitioners, namely, 1. Md. Shoeb Ali @ Shoeb Khan and 2. Salim Khan are seeking Anticipatory Bail apprehending arrest in connection with an FIR, which is registered as Offence No. H/85 (WL) of 2025-26 dated 09.03.2026 under Harmutty Range, Lakhimpur Forest Division, Lakhimpur North, Assam.

3. The petitioners have received a Notice dated **18.06.2026** issued by the **Divisional Forest Officer (DCF), Biswanath Wildlife Division**, Assam directing them to appear in connection with **Offence No. H/85 (WL) of 2025-26 dated 09/03/2026 under** Harmutty Range, Lakhimpur Forest Division, Lakhimpur North, Assam.

4. It transpires that the elephant in question had earlier been seized by the police in Rajasthan after being transported from Assam in the month of February, 2026. Subsequently, the competent Court at Jaipur granted **zimma** of the elephant to the petitioners, observing that the animal was not a wild animal.

5. Call for the records.

6. In the meantime, it is provided that the petitioners shall appear before the **Divisional Forest Officer (DCF), Biswanath Wildlife Division**, Assam,

within a period of **14 (fourteen) days** from today. In the event of their appearance, and in the event of their arrest, they shall be released on interim bail on furnishing a bail bond of **Rs. 50,000/- (Rupees Fifty Thousand) only each**, with **2 (two) sureties each of the like amount**, to the satisfaction of the Arresting Authority.

7. List this matter again on 21.08.2026.

JUDGE

Comparing Assistant