

GAHC010181162026



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

Case No. : AB/1998/2026

SADDAM HUSSAIN AND 3 ORS
S/O JOYNAL ABEDIN, R/O VILL 106 BAREGARH, P.S. ABHAYAPURI, DIST
BONGAIGAON, ASSAM

2: MUZAHIDUL ISLAM
S/O SAMSUL ALOM
R/O VILL KIRTANPARA
P.S ABHAYAPURI
DIST BONGAIGAON
ASSAM

3: HANNAN TALUKDAR
S/O LT BORHAN ALI TALUKDAR
R/O VILL DUMURIA PT I
ABHAYAPURI
DIST BONGAIGAON
ASSAM

4: ABDUL ROUF
S/O ABDUL BATEN
R/O VILL BAREGARH
ABHAYAPURI
DIST BONGAIGAON
ASSA

VERSUS

THE STATE OF ASSAM
TO BE REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR SARFRAZ NAWAZ, MD A RAHMAN, MR. SURAJIT DAS, MR
SARFRAZ NAWAZ, A MISHRA

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS**

ORDER

Date : 25.08.2026

Heard Mr. S. Das, learned counsel for the petitioners. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State.

2. Invoking 482 BNSS, the petitioners, namely, (i) Saddam Hussain (ii) Muzahidul Islam (iii) Hannan Talukdar & (iv) Abdul Rouf, have sought anticipatory bail in connection with Golakganj P.S. Case No. 177/2026 u/s 303(2), 325 and 3(5) of BNS, 2023 and Section 13(1) of Assam Cattle Preservation Act, 2021.

3. The case arose out of an FIR dated 31.07.2026 lodged by police official from Chagolia Outpost under Golakganj police station with the allegation that, on that day, there was a naka checking whereupon a big truck bearing registration no. AS-01-UC-2045, was coming from the side of West Bengal and upon asking, the driver stated about carrying mangoes. It is further alleged that, upon more thorough checking, 37 numbers of cattle were found being carried in in cruel and inhuman conditions and the driver, Mofizul Ali and the co-driver, Mazidul Islam were apprehended, along with the truck and cattle.

4. The learned counsel for the petitioners submits that the present

petitioners are the owners of the cattle, and they wish to appear before the I/O along with all relevant documents. It is submitted that they have approached the learned court below, seeking interim custody of the said cattle, which was also allowed by an order dated 18-08-2026, passed by the learned SDJM(S), Dhubri. The learned counsel also submits that the arrested driver and the co-driver of the said vehicle were subsequently granted bail by the learned court below on 01-08-2026. In the aforesaid facts and circumstances, petitioners are seeking anticipatory bail.

5. The learned Additional Public Prosecutor opposes the bail submits that the cattle were being carried in violation of the Prevention of Animal Cruelty Act as well as Assam Cattle Reservation Act, and the numbers carried were much beyond the permissible level.

6. Call for the case diary from the concerned police station.

7. However, in view of the other attendant facts and circumstances as narrated above, it is directed that in the event of arrest of the accused-petitioners, named above, shall be released on **interim bail** in connection with Golakganj P.S. Case No. 177/2026 u/s 303(2), 325 and 3(5) of BNS, 2023 and Section 13(1) of Assam Cattle Preservation Act, 2021, on furnishing bail bond of **Rs.30,000/-** each with one suitable surety each of the like amount to the satisfaction of the arresting authority.

8. The direction for bail is further subject to the condition(s) that the accused-petitioners:

(a) shall cooperate with the investigation;

(b) shall not hamper and tamper with evidence; and

(c) shall not indulge in any illegal activity or offence.

9. Violation or breach of condition(s) shall entail cancellation of the bail.

10. List on 14.09.2026.

JUDGE

Comparing Assistant