GAHC010232102026

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

Case No. : Bail Appln./3346/2026

SAHAJAMAL HAQUE ALIAS SHAHJAMAL SK AND 2 ORS.
S/O.- SOFIAR RAHMAN ALIAS BELU SHEIKH R/O.- VILL.- CHAR BHATAPARA P.S.- PHULBARI DIST.- WEST GARO HILLS, MEGHALAYA.

2: HAFIZUR RAHMAN
S/O.- ABDUL SALAM
R/O.-VILL-MOYLAKANDI
P.S.-TIKRIKILLA
DIST- WEST GARO HILLS
MEGHALAYA.

3: ABDUL HASSEN ALIAS ABDUL HASHEM
S/O.- LATE MOKBUL HUSSAIN
R/O. VILL-MOYLAKANDI
P.S-TIKRIKILLA
DIST- WEST GARO HILLS
MEGHALAY

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. J AHMED, MS J YESMIN,MR B ISLAM,MR Z RAHMAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 14.10.2026

Heard Mr. J Ahmed, the learned counsel appearing for the petitioner. Also heard Mr. R R Kaushik, the learned Additional Public Prosecutor appearing for the State of Assam.

2. This is an application under Section 483 of the BNSS, 2023, whereby the petitioners 1. Sahajamal Haque @ Shahjamal Sk., 2. Hafizur Rahman and 3. Abdul Hassen @ Abdul Hashem have prayed for releasing them on bail after they were arrested in connection with Lakhipur P.S. Case No.152/2026 (corresponding to GR Case No.821/2026) registered under Sections 303(2)/3(5) of the BNS, 2023 read with Section 13(1) of the Assam Cattle Preservation Act read with Section 11(1)(A) of the Prevention of Cruelty to Animals Act.

3. The allegation brought against the petitioners is that, on 28.08.2026, they were taking with them 12 numbers of cows. However, they could not produce any document to police in support of the same.

4. Mr. Ahmed submits that the petitioners have already spent 47 days in judicial custody and their period of detention should be taken as a ground for releasing them on bail.

5. I have considered the submissions made by the learned counsels of both sides.

6. This Court is of the opinion that the period of detention undergone by the petitioners in custody should be taken as a ground for releasing them on bail.

7. Therefore, the bail application of the petitioner is allowed.

8. It is hereby directed that the petitioners, namely, 1. Sahajamal Haque @ Shahjamal Sk., 2. Hafizur Rahman and 3. Abdul Hassen @ Abdul Hashem, who were arrested in connection with Lakhipur P.S. Case No.152/2026, shall be released on bail of ₹25,000/- each with sureties of like amount to the satisfaction of the learned Chief

Judicial Magistrate, Goalpara.

The bail application stands disposed of accordingly.

JUDGE

Comparing Assistant