GAHC010251722025

2025:GAU-AS:16405

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

Case No. : Bail Appln./3790/2025

AUGUSTIN TARO AND ANR
S/O BILISON TARO
R/O SEKARGHAT, BOKOLIA, P.S. KARBIANGLONG, DIST. KARBI ANGLONG, ASSAM, PIN-782482

2: SARBINONG SINGNAR
S/O DHANSING SINGNAR
R/O THEPILIANGLONG
BOKOLIA
P.S. KARBI ANGLONG
DIST. KARBI ANGLONG
ASSAM
PIN-782482
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S C BISWAS, MS. J GHOSH,MR. P S BISWAS,MS. R DEVI

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

01.12.2025

1. Heard Mr. S. C. Biswas, learned counsel for the accused-applicants. Also heard Mr. K. K. Das, learned Additional Public Prosecutor for the State of Assam.

2. This is an application filed under Section 483 of the BNSS, 2023, praying for granting bail to the accused-applicants in connected with Tezpur PS Case No. 708/2025 under Sections 105/125(b)/281/3(5)/303(2)/324(4)/325 of BNS 2023 read with Section 11(1)(a)/11(1)(b)/11(1)(e)/11(1)(f)/11(1)(h)/11(1)(i)/12 of Prevention of Cruelty to Animal Act.

3. The gist of the case as alleged by the FIR dated 22.10.2025 filed by one Abdul Rezak Akand at Tezpur Police Station is that the accused-applicants were travelling by a Swift Dzire vehicle and thereafter, met with an accident at NH-713 at Bhojkhowa Chapori at about 06:30 AM. It was alleged that due to the collision between the Swift Dzire Vehicle and one TVS XL-100, one pedestrian died and certain occupants of two vehicles got injured.

4. On reciving the information, the Police personnel visited the place of occurrence and found the accused-applicants were carrying 7 (seven) local dogs, tied up and kept inside the vehicle. It was alleged that two of the dogs died on the spot due to the accident.

5. On receipt of the FIR, the police has registered the aforesaid case against the accused-applicant and the accused-applicants were arrested on 22.10.2025. Since then, the accused-applicants are behind the bar for the last 40 days.

6. The learned counsel for the accused-applicants submits that they do not have any involvement in the accident so occurred on the fateful date and they were only travelling in a Swift Dzire vehicle, which met accident with the TVS XL-100.

7. The learned counsel for the accused-applicants submits that though Section

105 of BNS, 2023 has been framed against the accused-applicants, there is no material against the accused-applicants for such alleged commission of offence. The learned counsel for the accused-applicants submits that since the accused-applicants have already spent 40 days behind the bar, they should be released on bail as more custodial detention may not be required.

8. Mr. K. K. Das, learned Additional Public Prosecutor for the State submits that the case diary in the matter is yet to be received and without perusal of the case diary, this Court should not allow the accused-applicants to go on bail.

9. This Court has perused the materials available on record and also considered the submissions of the learned counsel for the parties.

10. Looking into the incident of the accident and the entire facts of the matter, especially the fact that the accused-applicants have already spent 49 days inside the jail, this Court is of the opinion that at this stage, further detention of the accused-applicants will not be required.

11. Accordingly, the accused-applicants are directed to be released forthwith on furnishing of bail bond of Rs. 30,000/- (Thirty Thousand only) each with surety of like amount to the satisfaction of the learned Court of Chief Judicial Magistrate, Sonitpur at Tezpur subject to the following conditions:

I. The accused-applicants shall co-operate with the investigation of the case and appear before the I.O. as and when called for;

II. The accused-applicants hall not hamper with the investigation of the case and tamper with the evidence of the case;

III. The accused-applicants shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of

the case so as to dissuade them from disclosing such facts to the Court or to any police office.

12. Accordingly, the instant bail application is disposed of as allowed.

JUDGE

Comparing Assistant