

GAHC010156082024



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

**Case No. : AB/2026/2024**

SADDAM HUSSAIN  
S/O- ABDUL AWAL, R/O- BHARALKUNDI BEEL, P.S. JOGIGHOPA, DIST.  
BONGAIGAON, ASSAM

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE P.P., ASSAM

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

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**  
**HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

**ORDER**

**30.09.2024**

1. Heard Mr. S. Rahman, learned counsel for the petitioner Taizuddin Ahmed, who has filed this application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for pre-arrest bail as he is apprehending

arrest in connection with Umrangso Police Station Case No. 10/2024 registered under Sections 406/420/468/471 of the Indian Penal Code, 1860.

2. Heard Mr. D. Das, learned Additional Public Prosecutor, Assam for the respondent State.

3. The FIR unfolds that a person namely Abul Awal whose GST Number has been cancelled was generating the E-Way bills in the name of the informant Biren Singh Enghi.

4. It is submitted on behalf of the petitioner that police has been visiting him and the petitioner was not aware of any such scam of procuring E-Way bills in the name of the other person. It is also submitted that during his brick business, he procured two challans from Fojal Haque but he did not know whether the said challans were genuine or not. It is submitted that the petitioner has his own GST registration.

5. I have considered the submissions at the bar with circumspection. I have considered the submission that the petitioner is the sole bread winner of his family and his family would suffer immensely if he is forwarded to custody. The petitioner is willing to cooperate with the remaining part of the investigation. The petitioner is a local resident and he is not a flight risk.

6. Considering the foregoing discussions, it appears that the petitioner has sufficient ground to be granted pre-arrest bail. It is also noticed that the

petitioner's name is not mentioned in the FIR and the allegation is specifically against Abul Awal.

7. I have considered the submissions at the Bar and I have scrutinized the Case Diary. The petitioner has appeared before the Investigating Officer and his statements have been recorded. The petitioner has not violated any bail conditions.

8. I have considered the submissions at the Bar that Fojaal Haque is the prime accused who was involved in generating E-Way bills.

Considering all aspects, interim order dated 05.08.2024, is hereby made absolute.

**JUDGE**

**Comparing Assistant**