GAHC010095402026

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

Case No. : Bail Appln./1274/2026

DILDAR ALIAS DILDER HUSSAIN
S/O KHALILUR RAHMAN
R/O URALKATA, WARD NO.10, P.S. MOIRABARI, DIST. MORIGAON, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. S M MOLLAH,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

Date : **16.06. 2026**

Heard Mr. S.M. Mollah, learned counsel for the petitioner and Mr. B. Sarma, learned Addl. Public Prosecutor, Assam for the State respondent.

2. This bail application has been filed by the petitioner namely, **Dildar @ Dilder Hussain** under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, seeking bail in connection with **Moirabari P.S. Case No. 38/2026** under Sections 140(3)/ 64(1)/ 3(5) of BNS, 2023.

3. The allegation as reflected in the FIR which has been lodged by the brother of the victim is that the victim aged about 25 years was on her way to purchase something when she was on a visit to her sister's house and the time was around 7.00 pm. At that time the present petitioner alognwith co-accused Ajijul Hoque came in a motor cycle, abducted the victim, took her to a brick klin and committed rape on her.

4. It is submitted that the victim is a divorced lady and she was having a relationship with co-accused Ajijul Haque, who is a neighbor of the sister of the victim and the petitioner, who is also one such neighbor is no way connected with the case.

5. The case diary as called for has been received and the statement of the victim recorded before the Magistrate as well as before the police does implicate the present petitioner.

6. However, the allegations that the two accused persons forcefully took away the victim, who is a grown up lady, on a motor cycle without threatening her with any weapon, appears to be somewhat improbable, on a prima facie view of the matter.

7. Be that as it may, the petitioner has already spent 51 days in custody and having regard to the progress of the investigation as indicated in the case diary, it appears that further detention of the petitioner is not warranted. Accordingly, the prayer for bail is allowed.

8. It is directed that the petitioner above named be released on bail on furnishing a bond of Rs. 50,000/- (Rupees fifty thousand) only with one surety of the like amount to the satisfaction of the learned CJM, Morigaon, Assam.

9. It is further provided that the petitioner shall cooperate with the trial and

he shall not try to intimidate or influence any witnesses acquainted with the facts of this case, in any manner.

10. In terms of the above, this bail application stands disposed of.

11. Send back the case diary.

JUDGE

Comparing Assistant