GAHC010124992026

2026:GAU-AS:9701

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

Case No. : Bail Appln./1700/2026

NURUL ISLAM
SON OF NUR HUSSAIN ALI, RESIDENT OF VILLAGE- PUB KALAKUCHI, POLICE STATION- MUKALMUA, DISTRICT- NALBARI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. U K BARMAN, F K R AHMED,MR. R KONWAR,MR D PEGU,MR H ALI

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MR. JUSTICE ANJAN MONI KALITA

O R D E R

16.07.2026

Heard Mr. F.K Ahmed, learned counsel appearing for the accused applicant. Also heard Mr. B. Sharma, learned Additional Public Prosecutor, appearing for the State.

2. This is an application under Section 483 of the BNSS, 2023, praying

for granting bail to the accused applicant, namely, Nurul Islam, in connection with Jalukbari P.S Case No.204/2026, under Section 105 of the BNS, 2023.

3. The gist of the case is that an F.I.R was lodged by one Raju Rao before the Officer-in-Charge of Jalukbari Police Station, alleging inter-alia, that on 07.06.2026, at about 03:50 P.M, his son Nagraj Rao was seriously injured in a road accident at Adabari Tiniali; that at the time of the incident, his son and another driver Raul Ray were standing near their E-rickshaws and an altercation took place with the driver of the Traveller vehicle No.AS-01-UC-0414 and the driver of the Traveller drove the vehicle recklessly while trying the leave the spot and hit both E-rickshaw drivers and both sustained injuries and later his son Nagraj Rao succumbed to his injuries at Swagat hospital, Maligaon. In view of the aforesaid F.I.R, Jalukbari P.S Case No.204/2026 under Section 105 of BNS, 2023 has been registered.

4. Learned counsel appearing for the accused applicant submits that the accused applicant has surrendered before the police on 09.06.2026 and since then, he is behind the bars for last 38(thirty eight) days. He submits that the incident which had occurred is purely of an accidental nature and there was no intention of committing any such offence as alleged in the F.I.R. He submits that as the accused applicant has spent sufficient time behind the bars, there is no requirement of further custodial detention of the accused applicant and therefore, he prays for bail to the accused applicant.

5. Case Diary in the instant case has been received and the same is perused.

6. Mr. B. Sharma, learned Additional Public Prosecutor, appearing for the State, however, submits that the incident occurred due to very rash and negligent driving of the accused applicant and opposes the bail application.

7. Taking into account the entire facts of the case and after perusal of the Case Diary, this Court is of the considered opinion that the accused applicant should be granted bail at this stage.

8. Accordingly, it is directed that the accused applicant, named above, should be released from jail on furnishing of a bail bond of Rs.30,000/- (Rupees thirty thousand) with one surety of like nature to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (Metro), subject to the condition that the accused applicant shall co-operate with the investigation and shall make himself available as and when called for by the investigating officer.

9. In terms of the above direction, this bail application stands allowed and disposed of.

10. Return the Case Diary.

JUDGE

Comparing Assistant