GAHC010131182026

2026:GAU-AS:9331

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

Case No. : AB/1429/2026

WAZED ALI
SON OF OSMAN ALI, R/O VILL. AND P.O.- TUKRAPARA, P.S.- GOROIMARI, DISTRICT- KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP ASSAM

Advocate for the Petitioner : MR. M I HUSSAIN, MR. S M RAHMAN,MS. P AHMED,R KHA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

26.06.2026

1. Heard Mr. M. I. Hussain, learned counsel for the petitioner. Also heard Mr. D. P. Goswami, learned Additional Public Prosecutor for the State.

2. This petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is filed for granting the privilege of pre-arrest bail to the

petitioner, namely, **Wazed Ali** apprehending arrest in connection with Goroimari P.S. Case No. 49/2025 under Sections 142/308/117(2)/351(2)/3(5) of the BNS, 2023.

3. The FIR lodged on 05.06.2025, reveals that the husband of the informant was kidnapped by the accused persons named in the said FIR, however, only one accused person was named and others were identified and they were not named as such. It was further stated that her husband informed her over telephone that the accused persons had assaulted him and has demanded Rs. 3 lacs, along with a threatening that if he does not pay he will be killed. The informant further stated that after knowing about the incident, she arrived at the Police Station and went to the place of occurrence and recovered her husband.

4. The learned counsel for the petitioner submits that the actual fact was not stated in the FIR, inasmuch, as the informant's husband had taken Rs. 3 lacs from the FIR named accused for the purpose of purchasing a vehicle with the promise to return back the money within a period of one month, but the husband of the informant had not repaid the money back and that on the said date, i.e., on 05.06.2025, the husband of the informant was caught with an intention to hand him over to the Police and with the interference of the local people, the matter was amicably settled and when the informant and the Police reached, the husband was taken to the Police Station. As such, he submits that there was no incident of kidnapping or threatening.

5. The main accused of the case i.e. one Salimuddin has been granted privilege of pre-arrest bail by a Co-ordinate Bench of this High Court by order dated 08.06.2026 passed in AB/1212/2026, which was disposed of by the said order.

6. Having regard to the aforesaid facts and also the fact that the present petitioner is not an FIR named accused, the instant anticipatory bail application is also disposed of by providing that in the event of his arrest, the petitioner named above, shall be released on pre-arrest bail, in connection with the above noted case, on furnishing bail bond of Rs. 10,000/- with one surety of like amount to the satisfaction of the arresting authority.

7. This anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant