GAHC010132042026

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

Case No. : Bail Appln./1753/2026

MD JAHIDUL ISLAM
S/O MD. MINTU ALI R/O CHENIKUTHI BYE LANE NO 1 HOUSE NO 44 P.S. LATASIL DISTRICT KAMRUP(M) ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR S M ABDULLAH P, MR. A E HUSSAIN,MR. S HAQUE

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

14.07.2026

1. Heard learned counsel Mr. S. M. Abdullah P for the petitioner Md. Jahidul Islam.

2. The petitioner has filed this application under Section 483 of the BNSS, 2023 with prayer for bail as he is behind bars since 16.06.2026 in connection

with Nalbari Police Station Case No. 112/2026 under Sections 126(2)/118(2)/109/140(3)/62/3(5) of the BNS, 2023.

3. Heard Mr. M. P. Goswami, learned Additional Public Prosecutor for the respondent State.

4. The allegation against the petitioner is that he along with the other accused Vivek Gupta tried to kidnap the informant's daughter and also abetted the accused No. 1 Vivek Gupta who allegedly attempted to slash the informant's throat.

5. Learned counsel for the petitioner has submitted that the accused Vivek Gupta has already passed away and to screen themselves from any criminal case, a false case has been slammed against the present petitioner as well as the deceased accused Vivek Gupta.

6. A case under Section 103 of the BNS has already been registered against the informant.

7. Learned Additional Public Prosecutor has submitted that there are incriminating materials in the Case Diary against the petitioner.

8. I have also scrutinized the Case Diary.

9. It appears that bail may be granted to the present petitioner. Investigation has progressed to a considerable extent. Further custodial detention may not be necessary.

10. Considering all aspects, petition is allowed. The petitioner shall be enlarged on bail on furnishing a bail bond of Rs. 30,000/- (Rupees Thirty Thousand) with a suitable surety of like amount to the satisfaction of the Elaka Magistrate under the conditions that:

(i) The petitioner shall co-operate with the remaining part of the investigation, and

(ii) The petitioner shall not exercise threats to the witnesses.

11. On breach of any of the bail conditions, the learned Court is at liberty to immediately cancel the bail granted to the petitioner.

12. Send back the Case Diary.

JUDGE

Comparing Assistant