GAHC010153742026

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

**Case No. : AB/1730/2026**

BILAL AHMED HAZARI
S/O LATE MUDARISH ALI HAZARI, R/O NARAINPUR PART-III, P.O. NARAINPUR, P.S. HAILAKANDI, DISTRICT HAILAKANDI, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR

**Advocate for the Petitioner** : MR H R A CHOUDHURY, E BEGUM,MR J ISLAM

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

**BEFORE**
**HONOURABLE MRS. JUSTICE SHAMIMA JAHAN**

**ORDER**

**Date : 31.07.2026**

Heard Mr. J. Islam, learned Counsel for the petitioner and Ms. S.H. Bora, learned Additional Public Prosecutor for the State.

2. By this application, the petitioner has prayed for pre arrest bail in connection with CID Police Station Case No. 04/2025 registered under Sections

61(2)/318(4)/336(3)/340(2) of the BNS, 2023. The FIR in connection with which the petitioner is apprehending arrest was lodged on 10.02.2025 by the Chief Engineer of Water Resource Department stating inter alia that some miscreants have circulated a fake letter with the forged signature of the informant to various divisions under the Water Resource Department. By the said information, addressed to the Additional Director General of Police, CID Department, the informant had further stated that the order which is claimed to have been passed by the Chief Engineer was not signed by him and the same was fake.

3. The learned Counsel for the petitioner submits that his daughter received an appointment letter purportedly issued by the Chief Engineer Water Resource Department and on suspicion about the authenticity of the said appointment letter, he approached the CID, Police Station, Assam with an FIR but the said FIR was not registered and that thereafter, the learned Counsel submits that the petitioner received a notice under Section 179 of the BNSS. In compliance with the direction given in the notice, he appeared before the police personnel and his statement was recorded. The learned Counsel further submits that the petitioner had thereafter received a notice under Section 35(3) of BNSS from the CID, Headquarters by which he was directed to appear before the CID, Police Station on 20.07.2026 and in compliance of the said notice, the petitioner went and appeared before the said CID Police personnel and his statement was again recorded. He further submits that the mobile phone of the petitioner was kept back by the police personnel in the Police Station. The learned Counsel thereafter states that he was served with yet another notice under Section 35(3) of the BNSS but due to some reasons, he could not appear and for that he had

given an application to the said authority. The learned Counsel therefore submits that the petitioner apprehends arrest in connection to the said FIR and as such has prayed for pre arrest bail.

4. Ms. S.H. Bora, learned Additional Public Prosecutor for the State submits that the investigation to the entire gamut of the case is on since February, 2025 and as such, the petitioner was called by the CID for his statement. She further submits that the petitioner did not appear before the police personnel in pursuance to the second notice.

5. Upon consideration of the submissions made by the learned Counsels for the parties and more so, in view of the fact that the petitioner himself went to lodge an ejahar after being suspicious of the appointment letter, this Court finds it fit to enlarge the petitioner on pre arrest bail on furnishing of bail bond of Rs. 20,000/- with one local surety of the like amount to the satisfaction of Arresting Authority under the following conditions:

i) the petitioner to appear before the Investigating Officer within a period of 10 days from the date of the order.

ii) the petitioner will appear before the Investigating Officer thereafter as and when called for.

iii) the petitioner will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iv) the petitioner will not leave the place of jurisdiction without the permission of the Arresting Authority.

iv) if the petitioner fails to appear before the Investigating Officer within the stipulated date , his bail order will be amenable for cancellation by the

concerned Court.

6. Petition is disposed of.

**JUDGE**

**Comparing Assistant**