GAHC010155852026

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

Case No. : Bail Appln./2133/2026

NAJIRUL ISLAM
S/O MOKIB ALI, R/O VILL KANDHAKARPARA, PO BHELLA, PS BARPETA SADAR, DIST BARPETA, ASSAM, PIN 781309

VERSUS

THE STATE OF ASSAM
TO BE REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR SARFRAZ NAWAZ, MD A RAHMAN,MS. PUOTOUVII,A MISHRA,MR. SURAJIT DAS,MR A W AMAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 03.09.2026

Hear Mr. S. Das, the learned counsel for the petitioner and Mr. R. J. Baruah, the learned Addl. Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for bail in connection with Juria P.S. Case No. 103/2026, registered under Sections

326/303(2)/305/331(2)/334(1)/3(5) of BNS, 2023.

3. The FIR in connection with which the petitioner was arrested was lodged by the employee of NCR Corporation India Pvt. Ltd. on 30.04.2026, stating *inter alia* that, some unknown miscreants had vandalized the ATM and damaged the machine completely which they had installed near Juria College, Nagaon, Assam. The informant also stated that a total cash balance of Rs. 31, 21, 900/- (Rupees Thirty one lakhs Twenty one thousand & Nine hundred only) was there in the ATM machine.

4. The learned counsel appearing for the petitioner submits that the petitioner was arrested by looking into the CCTV footage of the ATM and it was stated in the forwarding report, that in the said footage, a similar-looking person like that of the petitioner was seen and petitioner was arrested. He submits that on suspicion, the petitioner was arrested and was kept behind the bars for 56 days.

5. On the other hand, Mr. R. J. Baruah, the learned Addl. Public Prosecutor for the State submits that during investigation a number of incriminating materials were seized from the possession of the petitioner and the said materials are normally used for cutting steel appliances and that, he also submits that the petitioner was identified by his appearance in the CCTV footage of the ATM.

6. On consideration of the submissions made by the counsels, more so, in view of the fact that, forwarding report itself shows that the petitioner was arrested on suspicion, this court deems it fit, to enlarge the petitioner on bail on

furnishing of a bail bond of Rs.20, 000/- (Rupees Twenty Thousand) with one local surety of the like amount to the satisfaction of the satisfaction of the SDJM (S), Nagaon under the following conditions:

(i) the petitioners should positively appear before the Investigating Officer as and when call for.

(ii) the petitioners shall not hamper and tamper with the evidence of the case, and/or influence the witness connected with the case; and

(iii) the petitioners shall not leave their residence without prior permission of the Investigating Officer.

7. The Bail Application stands disposed of.

JUDGE

Comparing Assistant