

GAHC010019242026



2026:GAU-AS:1560

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

Case No. : AB/212/2026

SAHIDUL ISLAM
S/O LATE RUSTAM ALI, R/O- BORBIL KACHARI GAON, PS DHING DIST
NAGAON ASSAM-782123.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : S K PODDAR, R MANDAL, MR. R GHOSH, MS. N PODDAR, MR. C SHARMA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 06.02.2026

Heard Mr. S.K. Poddar, learned counsel for the petitioner. Also heard Ms. N. Das, learned Additional Public Prosecutor for the State.

2. By this application filed under Section 482 of the BNSS, 2023 the

petitioner, namely, **Sahidul Islam**, has prayed for pre-arrest bail in connection with Dhing P.S. Case No. 277/2025 under Section 196(1)/197(1)(d)/299/302/152/258 of BNS, 2023.

3. The case arose out of an FIR dated 13.11.2025 lodged by police officials in which nine accused persons are named and unknown others. The gist of the allegation is that the accused persons equipped with some weapons threatened to kill indigenous people and throw their dead bodies in the river.

4. The learned counsel for the petitioner drawing attention to FIR dated 13.11.2025 lodged by Phulen Kalita, against seven accused persons with the allegation that for the last eight years, the accused persons have been cultivating using their 30 Bighas of land, by forcibly cultivating the same and on 07-11-2025, when the informant went to plough the land, they armed with lathi, dao, chased him with an intention to kill him. That the accused persons also criminally intimidated him on the road when he went to the same land. The said case was registered as Dhing P.S. Case No. 276/2025 u/s 189(2)/191(2)/191(3)/329(3)/351(2) of BNS, 2023. It is submitted that as the said penal provisions were bailable, an FIR dated 13-11-2025 was lodged on the same day by the O/C, Dhing police station with the aforesaid allegations naming the seven accused persons of the other FIR and two more persons.

5. The case diary has been received along with a bail objection.

6. It appears that some accused persons have been granted regular bail by this Court after perusal of the case diary.

7. The learned Additional Public Prosecutor submits that as per investigation, the petitioner is found to be involved in the alleged offence.

8. The learned counsel for the petitioner further submits that *prima facie*, except 196(1) BNS, the other provisions may not be attracted and that the said provision is punishable up to 3(three) years.

9. I have found that investigation has progressed. Subject to suitable stringent conditions, perhaps, granting of bail to the petitioner at this stage may not hamper investigation, especially as some other accused persons have been granted regular bail.

10. Accordingly, in the event of arrest of the accused-petitioner, they shall be released on bail in connection with Dhing P.S. Case No. 277/2025 under Section 196(1)/197(1)(d)/299/302/152/258 of BNS, 2023, on furnishing bail bond of **Rs.50,000/-** with one suitable surety of the like amount to the satisfaction of the arresting authority.

11. The direction for bail is further subject to the condition(s) that the accused-petitioner:

(a) shall render co-operation with remaining investigation;

(b) shall not hamper or tamper with evidence;

(c) shall not in any manner cause any harm or harassment to the informant and family; and

(d) shall not misuse his liberty to commit any illegal acts and any acts detrimental to social harmony or prejudicial to public peace.

12. Violation or breach of condition(s) shall entail cancellation of the bail.
13. The anticipatory bail application stands **allowed** and disposed.
14. Send back the case diary.

JUDGE

Comparing Assistant