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

Case No. : I.A.(Crl.)/405/2026

JAMAL UDDIN
SON OF MOINUDDIN RESIDENT OF VILL- HARINADIK, P.O. ANGLARBAZAR, P.S. BADARPUR, DIST. SRIBHUMI, ASSAM

2: RAJU UDDIN
SON OF RIAZ UDDIN
RESIDENT OF VILL- HARIMADIK
P.O. ANGLARBAZAR
P.S. BADARPUR
DIST. SRIBHUMI
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A CHAUDHURY, MR. P K DAS,MR. N MAHAJAN,MR. D BORA,MR. B.H. TAPADAR,A.ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

Date : 23.04.2026

This interlocutory application has been referred by the petitioners with a prayer to relax the condition imposed by the order dated 19.03.2026 passed in Bail Application No. 473 of 2026 to the extent of requirement of furnishing one surety having immovable property within the jurisdiction of the learned Special Judge Dima Hasao, to be bailed, deleted or suitably modified and permit the accused petitioners to furnish sureties from their place of residence i.e. District Sribhumi or any such other security as may be deemed sufficient by this Court.

2. The learned counsel for the petitioner has submitted that the petitioners can fulfil the other conditions; however, arranging for a surety having immovable property in the territorial jurisdiction of Dima Hasao is a near impossibility for them since they are permanent residents of Sribhumi.

3. The learned Addl. P.P has submitted that in the event a modification is allowed, strict conditions are required to be imposed to ensure their participation in the trial.

4. Having heard the learned counsel for the parties, this Court is of the opinion that the requirement of furnishing one surety having immovable property within the jurisdiction of the learned Special Judge, Dima Hasao, can be suitably modified to be read as one surety having immovable property in their own name

within the state of Assam. The learned Trial Court shall have the liberty to verify the surety before accepting the same.

5. Accordingly, with the aforesaid modification, this interlocutory application is disposed of.

JUDGE

Comparing Assistant