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

Case No. : Bail Appln./2045/2026

MOFIDUL HUSSAIN
S/O LATE ABDUS SATTAR, R/O KARBALA WARD NO. 13, P.S. GOALPARA, DISTRICT GOALPARA, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A AHMED, MS. F B CHOUDHURY,MR A AHMED,MISS. P M AHMED,MR. M A CHOUDHURY,U U KHAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

05.10.2026

Heard Mr, A. Ahmed, learned counsel appearing for the petitioner. Also heard Mr. K. K. Das, learned Addl. P.P. for the State.

2. This is an application under Section 483 of the BNSS, 2023, seeking the grant of regular bail to

the petitioner, namely, Mofidul Hussain, in connection with Krishnai P.S. Case No. 44/2026, registered under Sections 69 and 351(2) & (3) of the Bharatiya Nyaya Sanhita, 2023. The petitioner was arrested on 13.06.2026.

3. The alleged victim lodged the FIR on 07.06.2026. The allegations, in a nutshell, are that while she was working at a Suzuki showroom in the locality, she became acquainted with its owner, who was later identified as Mofidul Islam. It is alleged that they developed a love affair, during which they also established a physical relationship

4. This is a subsequent bail application as an earlier bail petition was rejected on 02.07.2026 in B.A. No. 1745/2026, at the stage of investigation upon perusal of the Case Diary.

5. In the meantime, the investigation has been completed, resulting in a charge-sheet and, therefore, the scanned TCR has been called for and received.

6. Mr. Ahmed, learned counsel submits that bail may be granted considering the stage and the length of detention and that the petitioner was abide by all bail conditions.

7. Mr. K.K. Das, learned Addl. P.P, submits that, in the meantime, vide order dated 10.09.2026, cognizance has been taken under Section 69 BNS, which pertains to having physical relationship/sexual intercourse with deceitful means, etc. He further submits in this context that the materials so far implicate the petitioner with regard to the said penal provisions.

8. The learned Addl. P.P opposes the bail.

9. I have given my consideration to the matter. In view of the completion of the investigation, the length of detention and the fact that the case is poised for commencement of trial, the petitioner can be granted bail at this stage, subject to suitable conditions.

10. Accordingly, the interim bail granted vide order dated 03.08.2026 is hereby made absolute, subject to the following conditions:

(i) He shall be available for trial, if one commences.

(ii) The petitioner shall not in any manner intimidate, harass or harm the informant/victim or any witnesses

(iii) The petitioner shall not hamper and tamper with evidence of the case;

In case of violation of any bail conditions, his bail would be liable to be cancelled.

11. B.A. Stands disposed of.

JUDGE

Comparing Assistant