GAHC010187462026

2026:GAU-AS:16354

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

Case No. : AB/2098/2026

RAFIKUL ISLAM
S/O.ABDUL HALIM R/O.HOWLY GAON, P.O. P.S.HOWLEY DIST-BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM.

Advocate for the Petitioner : MR. J LASKAR,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : ***06.11.2026***

Heard Mr. J. Laskar, learned counsel for the accused applicant. Also heard Mr. B. Sharma, learned Additional Public Prosecutor for the State.

2. This is an application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying for granting pre-arrest bail to the

accused applicant, in connection with Harangajao Police Station Case No. 10/2026, (corresponding to GR Case No.49/2026), registered under Sections 22(c)/29910 of the NDPS Act.

3. The gist of the case is that on 23.04.2026, SI (UB) Jitumoni Baishya lodged an FIR before the Officer-in-Charge, Harangajao Police Station, alleging that secret information had been received on 23.04.2026 regarding a four-wheeler vehicle bearing registration No. AS-18-AC-5462, which was proceeding from the Haflong side towards Harangajao and was carrying a huge quantity of suspected illegal cough syrup containing codeine. Thereafter, the police intercepted the vehicle, which was being driven by one Jahidul Islam Bhuyan, with another person, namely, Abdul Kadir, travelling therein. During the search of the vehicle, a total of nine cartons of Eskuf cough syrup, suspected to contain codeine phosphate, along with other articles, were recovered.

4. On the basis of the aforesaid FIR, the police registered Harangajao Police Station Case No. 10/2026 under the aforementioned sections.

5. Learned counsel appearing for the accused applicant submits that a charge-sheet has been filed and the accused applicant has not been charge-sheeted as yet. He further submits that the accused applicant is the owner of the vehicle, which had been given on rent to the accused persons who have been arrested on the spot. He, therefore, submits that the accused applicant has no involvement in the instant case accordingly, he prays that the accused applicant may be granted pre-arrest bail.

6. Mr. Sharma, learned Additional Public Prosecutor, on the other hand,

opposes the prayer for anticipatory bail, submitting that the accused applicant is, in fact, absconding and the police have been searching for him. He has also produced a communication issued by the Officer-in-Charge, Harangajao Police Station, to the effect that the accused applicant is being looked for by the investigating agency.

7. Learned counsel for the accused applicant has also produced a copy of the charge-sheet, which has been perused by this Court.

8. Taking into account the entire facts of the case and upon finding sufficient *prima facie* incriminating materials against the accused applicant, this Court is not inclined to grant any relief to the accused applicant at this stage. Accordingly, the instant anticipatory bail application stands rejected.

JUDGE

Comparing Assistant