GAHC010198992026

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

Case No. : AB/2230/2026

TUZAMMEL HOQUE
S/O SIDDIK ALI, R/O VILLAGE SOYED PUR, P.O. DHARMAPUR, P.S. ALOPATI CHAR, DISTRICT BARPETA, ASSAM, PIN 781308

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR M Z SHAH, S ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

05.10.2026

Heard Mr M Z Shah, learned counsel for the petitioner. Also heard Mr B Sarma, learned Additional Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for pre-arrest bail in connection with Alopati Char PS Case No. 43/2025, corresponding to GR Case No. 1363/2025, under Sections 61(2)/318(4)/305(e) of the BNS, 2023.

3. The First Information Report in connection with which the petitioner is apprehending arrest, was lodged on 12.12.2025, by the informant stating *inter alia* that the petitioner, without informing other villagers had selected 30 numbers of beneficiaries for availing the benefits under the Dindayal Scheme. It is also alleged that the petitioner has not published

the list of beneficiaries, who will receive the solar lights and that the same were not distributed among the genuine beneficiaries and sold it to other persons on the instigation of accused Nos. 2 and 3 arrayed in the FIR.

4. The learned counsel for the petitioner submits that the allegation made in the FIR is a concocted allegation and that the petitioner is not involved in selling the solar lights to others. He further submits that the petitioner was enlarged on interim pre-arrest bail by order dated 15.09.2026, on the condition that the petitioner should appear before the Investigating Officer for recording his statement.

5. Mr B Sarma, the learned Additional Public Prosecutor for the State, on perusal of the Case Diary, submits that the petitioner has appeared and his statement was recorded by the Investigating Officer.

6. As such, it is seen that the petitioner is cooperating with the investigation and accordingly, the interim pre-arrest bail order dated 15.09.2026, is made absolute, with the further condition which are as follows:-

i) the petitioner shall appear before the Investigating Officer as and when called for;

ii) the petitioner shall not hamper and tamper with the evidence of the case, and/or influence the witnesses; and

iii) the petitioner shall not leave his residence without prior permission of the Investigating Officer.

7. Bail Application stands disposed of.

JUDGE

Comparing Assistant