GAHC010200012026

2026:GAU-AS:15379

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

Case No. : Bail Appln./2753/2026

NOBI HUSSAIN
S/O. SAFIKUL ISLAM, R/O. VILLAGE 2 NO. ISLAMPUR, P.S. BIHPURIA,
DISTRICT LAKHIMPUR, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. B CHOWDHURY,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

12.10.2026

1. Heard Mr. M.Z. Shah, learned counsel appearing for the petitioners. Also heard Ms. S.H. Borah, learned APP appearing for the State of Assam assisted by Mr. R. Borah, learned counsel appearing for the informant.

2. By this application the petitioner has prayed for grant of bail in connection

with Bihpuria Police Station Case No. 166/2026 registered under Sections 61(2), 318(4), 316(2), 178, 179, 180 and 3(5) of the BNS, 2023.

3. The FIR in connection with which the petitioner was arrested on 22.08.2026 was lodged by police personnel of Bihpuria Police Station stating *inter alia* that acting on information that the petitioner was involved in the illegal trade of fake gold and counterfeit Indian currency notes, the informant along with other police personnel proceeded to the petitioner's residence. Upon conducting a search, one boat-shaped object of golden colour and one smartphone were allegedly recovered. It is further stated that during interrogation the petitioner disclosed that he and others used to supply fake gold and counterfeit Indian currency notes across India.

4. The learned counsel appearing for the petitioner submits that mere possession of fake gold does not, in itself, constitute an offence as alleged in the FIR. He further submits that there are no materials to indicate the petitioner's involvement in the alleged business of dealing in fake gold or counterfeit Indian currency notes.

5. Mr. R.J. Baruah, learned APP appearing for the State, upon perusal of the case diary submits that the co-accused persons have named the petitioner as one of the persons involved in the business of selling fake gold and counterfeit Indian currency notes across the country. He further submits that other members of the alleged group who are also involved in such activities, are yet to be arrested. In view of the above, he opposes the prayer for bail.

6. It is also seen that the petitioner was enlarged on interim bail by order dated 22.09.2026, subject to various conditions.

7. In the present case, it appears that the petitioner has been implicated solely

on the basis of the statements of the co-accused, and there are no independent witnesses or victims who have come forward alleging that they were cheated by the petitioner.

8. In view of the above, this Court makes the interim bail granted to the petitioner by order dated 22.09.2026 absolute, subject to the condition that the petitioner shall comply with the conditions and directions stipulated in the said order.

9. The petition stands disposed of.

JUDGE

Comparing Assistant