GAHC010208082026

2026:GAU-AS:15499

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

Case No. : Bail Appln./2966/2026

MD KARIM ALI AND ANOTHER
S/O - LATE RAHMAT ALI, RESIDENT OF VILL BHALUKGURI GAON, P.O- SEPON CHAKALIA, P.S- MORAN, DIST- DIBRUGARH, ASSAM, PIN-785673.

2: MD SAFIUDDIN AHMED
S/O- LATE ALLAUDDIN AHMED
RESIDENT OF 1 NO. MIRIHULLA
P.O AND P.S- MORAN
DIST- DIBRUGARH
ASSAM
PIN-785675

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P ASSAM.

Advocate for the Petitioner : MR. J HATIMURIA, MR. N M DAS,MR. M KALITA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 13.10.2026

Heard Mr. M. Kalita, the learned counsel for the petitioners and Mr. R. J.

Baruah, the learned Addl. Public Prosecutor for the State of Assam.

2. By this application the petitioners have prayed for bail in connection with Moran P.S. Case No. 61/2026, registered under Sections 112, 318(4), 319(2), 317(4), 351(2), 351(3), 308(6), 308(7), 61(2), 3(5), 3(6), 3(8) and 3(9) of the BNS, 2023.

3. The FIR in connection with which the petitioners were arrested on 05.09.2026, was lodged by the police personnel of Moran Police Station, stating *inter alia,* that the petitioners without any authority or any professional qualification have assembled themselves in an around the police station and are sustaining on the money received from the members of public, who come there in connection with police work.

4. The learned counsel for the petitioner submits that, there are no specific allegations against the petitioners and that, the petitioners be enlarged on bail.

5. On the other hand Mr. R. J. Baruah, the learned Addl. Public Prosecutor for the State, on perusal of the Case Diary have placed statements of the independent witnesses amongst whom, one had stated that she heard the petitioner no.1, was dealing in alluring the public and settlings disputes amongst them and in the process takes money. The second witness that the learned APP had stated that is a scribe and that he stated that the petitioner no. 2, sometimes goes to his place with persons and writes an FIR and thereafter, settles the disputes and in the process takes money.

6. Upon consideration of the submissions made by the learned counsels, more so in view of the fact that, the allegations made in the FIR is not

substantiated to the exact nature of the allegation mentioned therein by the independent witness and also due to the fact that petitioners have been inside the jail for a considerable period of time, this court enlarges the petitioners on bail, on furnishing of a bail bond of Rs. 20, 000/- (Rupees Twenty Thousand) each with one local surety of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Dibrugarh under the following conditions:

(i) The petitioners shall positively appear before the Investigating Officer without fail as and when call for.

(ii) The petitioners shall not hamper and tamper with the evidence of the case, and/or influence the witness connected with the case; and

(iii) The petitioners shall not leave their residence without prior permission of the Investigating Officer.

7. The Bail Application stands disposed of.

JUDGE

Comparing Assistant