GAHC010210572026

2026:GAU-AS:16089

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

Case No. : AB/2482/2026

MUHIBUR RAHMAN ALIAS MUHIT
S/O LT. KANDU KANDU SK, VILLAGE THAISUPAR, P.S. KAKI, DISTRICT HOJAI, ASSAM, PIN 782442

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A ROSHID, MS. M R DEVI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 03.11.2026

Heard Mr. A. Roshid, learned counsel for the accused/applicant. Also heard Mr. K.K. Das, learned Additional Public Prosecutor appearing for the State of Assam.

2. This is an application under Section 482 of the BNSS, 2023 whereby the

accused/applicant, **Muhibur Rahman @ Muhit** is seeking Anticipatory Bail apprehending arrest in connection with an FIR, which is registered as Kaki Police Station Case No. 14/2024, registered under Sections 120(B)/341/354(B)/352/376/511 of IPC, read with Section 66/66(A) of Information Technology Act.

3. An FIR was lodged by one Rumena Khatun 12.07.2023 before the S.P. Hojai, Sankardev Nagar alleging *inter-alia* that while she was going to collect the money for Atma Sahayak Got (Self Help Group), when she reached in front of the house of the accused No.2, the accused No.2 intimated that she would be also going to collect the money, and therefore, asked her to seat in her house. When the informant was inside the room, the accused No.2 closed the door and she found that accused No.1 was seating inside the room. It was alleged that the accused No.1 tried to touch her inappropriately by removing her clothes. It was also alleged that when she made hue and cry, the accused No.2 also came and she supported the accused No.1 in his act and the accused No.1 took her half naked photographs. It was also alleged that the photographs were thereafter made viral and after seeing the photographs, the husband of the informant started avoiding her. It was also alleged that the incident was informed to the villagers but however, nothing has been done by the villagers and the accused No.1 has been blackmailing her with the photographs.

4. On receipt of the FIR, the police registered the Kaki Police Station Case No. 14/2024 under the aforementioned sections.

5. Mr. A. Roshid, learned counsel for the accused/applicant submits that the whole case has been falsely made by the informant due to some personal rivalry with the accused no.2 and the accused No.1 i.e. the present petitioner is no way

connected in the instant case.

6. The Case Diary in the instant case has been received and the same is perused.

7. Mr. K.K. Das, learned Additional Public Prosecutor appearing for the State of Assam, on the other hand, opposes the prayer for pre-arrest bail.

8. This Court has heard the submissions made by the learned counsel for the respective parties and has also considered the materials available in the case diary.

9. Taking into account the materials which are *prima facie* contradictory to the allegations made in the FIR, this Court is of the considered opinion that the accused/applicant should be given the privilege of pre-arrest bail at this stage. Accordingly, it is directed that in the event of arrest of the accused/applicant by the investigating authority in connection with Kaki Police Station Case No. 14/2024, he shall be released on pre-arrest bail on furnishing of bail bond of Rs.30,000/- (Rupees thirty thousand) only with one surety of like amount to the satisfaction of the Arresting Authority subject to the following conditions:-

1. That the accused/applicant shall appear before the Investigating Officer within a period of 10(ten) days from today and such other dates as required; and co-operate with the investigation as and when required;

2. That the accused/applicant shall not hamper or tamper with the investigation in any

manner; and

3. That the accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person/witness acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer in connection to this Police Station Case.

10. In terms of the aforesaid directions, the instant Anticipatory Bail Applications stands disposed of as allowed.

JUDGE

Comparing Assistant