GAHC010212032026

2026:GAU-AS:14953

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

Case No. : Bail Appln./2974/2026

MOGUL ALI ALIAS MAGBUL ALI
S/O SAMAN ALI, VILLAGE 1 NO SOLMARI, P.S. HAJO, DISTRICT KAMRUP, ASSAM.

VERSUS

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

Advocate for the Petitioner : MR. R ALI, MISS. S PARBIN,MR H A AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

06.10.2026

Heard Mr T J Mahanta, learned Senior Counsel, assisted by Mr H A Ahmed, learned counsel for the petitioner. Also heard Mr D P Goswami, learned Additional Public Prosecutor for the State of Assam.

2. By this application the petitioner has prayed for bail in connection with Hajo PS Case No. 370 of 2026, under Sections 316(2)/336(3)/340(2)/as well as Section3(5) of the BNS, 2023. This is the second bail application preferred by the petitioner before this

Court, the earlier being rejected.

3. The FIR in connection with which the petitioner was arrested on 12.08.2026, was lodged by one Samiran Nessa, stating *inter alia* that the petitioner along with two others had collected documents from her on the pretext that they will get her enrolled under a Government Scheme. It was also stated that the petitioners had assured that the money will be credited in the bank account of the informant. When money was not credited, the informant acquired and found out that the petitioner along with others had opened faked bank account in her name and misused her documents.

4. The learned Senior Counsel for the petitioner that the petitioner has been inside the jail since the last 58 days and that he was interrogated and all the documents were seized from his possession.

5. Mr D P Goswami, the learned Additional Public Prosecutor, on perusal of the Case Diary, submits that there are incriminating materials to the effect that he has collected the documents and have used it for some illegal purpose, but on account of his incarceration in the jail, he in his usual fairness, has not objected to the same.

6. Upon consideration of the submissions made by the learned counsels, more so, in view of the fact that the petitioner has been inside the jail for 58 days and the offences alleged against him entails a punishment less than 7 (seven) years, this Court enlarges the petitioner on bail on furnishing bail bond of Rs. 20,000/-, with one local surety of the like amount to the satisfaction of the JMFC, Hajo, Kamrup00000000, under the following conditions:-

i) the petitioner shall appear before the Investigating Officer/concerned Court, 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/jurisdictional Court.

7. Bail Application stands disposed of.

8. Send back the Case Diary.

JUDGE

Comparing Assistant