GAHC010212042026

2026:GAU-AS:15062

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

Case No. : Bail Appln./2968/2026

SAHEB ALI
S/O SUBHAN ALI, VILLAGE NAWAPARA PAM, P.S. MUKALMUWA,
DISTRICT NALBARI, 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

07.10.2026

Heard 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 Azara PS Case No. 121/2026, registered under Sections 331(f)/305(a) as well as Section 3 (5) of the BNS, 2023.

3. The First Information Report in connection with which the petitioner was arrested on

12.09.2026, was lodged by the informant, stating, *inter alia,* that when no one was in his house, i.e., in his flat at the fourth floor at Pooja Enclave, miscreants entered into his house and stole various articles including cash amount and ornaments.

4. The learned counsel for the petitioner submits that the petitioner was arrested only on suspicion after 16 days of lodging of the ejahar.

5. On the other hand, Mr R J Baruah, the learned Additional Public Prosecutor for the State, on perusal of the Case Diary, submits that on examining the CCTV footage, another accused person was arrested and the said accused person had taken the name of the petitioner and the petitioner was as such, arrested. He also stated that the petitioner himself had admitted that he is involved in the offence.

6. Upon consideration of the submissions made by the learned counsel, more so, in view of the fact that the name of the petitioner surfaced only after examining the arrested accused person, this Court deems it fit to release the petitioner on bail on furnishing bail bond of Rs. 20,000/-, with one local surety each to the satisfaction of the learned CJM, Kamrup (Metro), under the following conditions:-

i) the petitioner shall appear before the concerned Court, within 10 (ten) days from the date of the order and 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 their residence without prior permission of the Investigating Officer.

7. Bail Application stands disposed of.

8. Send back the Case Diary.

JUDGE

Comparing Assistant