GAHC010212922026

2026:GAU-AS:14838

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

Case No. : AB/2472/2026

IDDUD JAMAN @ MD IDDUD HUSSAIN AND ANR
S/O ISMAT ALI, R/O VILLAGE GOTLONG GAON, P.O. KALIABHOMORA, P.S. TEZPUR, DISTRICT SONITPUR, ASSAM.

2: RAJUDIN AHMED
S/O LATE HABIZUDDIN AHMED
R/O VILLAGE GOTLONG GAON
P.O. KALIABHOMORA
P.S. TEZPUR
DISTRICT SONITPUR
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. A T SARKAR, S R DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

05.10.2026

Heard Mr A T Sarkar, learned counsel for the petitioners. Also heard Mr B Sarma, learned Additional Public Prosecutor for the State of Assam.

2. By this application, the petitioners have prayed for pre-arrest bail in connection with

Tezpur PS Case No. 515/2025, under Sections 140(3)/3(5) of the BNS, 2023.

3. The First Information Report in connection with which the petitioners are apprehending arrest, was lodged on 18.07.2025 by the father of the victim girl, stating *inter alia,* that his daughter was found missing from his house on 17.07.2025 and on searches being made, the informant states that the next day, at around 05:00 am, he came to know that the petitioners had kidnapped his daughter from his house and that his daughter was untraceable.

4. The learned counsel for the petitioners submits that several times, the Police had visited the house of the petitioner and he also submits that the father of the victim has sworn in an affidavit on 22nd of September, 2026, stating *inter alia,* that his daughter had eloped with the petitioner No. 1 and that they are staying together as husband and wife and that they are also blessed with a baby son. The learned counsel also submits that a bald allegation is also made against the petitioner No. 2 in the said FIR.

5.

5. On the other hand, Mr B Sarma, the learned Additional Public Prosecutor for the State, submits that the complicity of the petitioners are seen in the FIR and that he prays for calling of the Case Diary for substantiating the same, and he also submits that the victim, when she was taken from her house was 16 years and 7 months.

6. Upon consideration of the submissions made by the learned counsel, more so, in view of the fact that the father of the victim has sworn in an affidavit that the victim and the petitioner No. 1 are staying as husband and wife and that they are also blessed with a child, this Court enlarges the petitioners on pre-arrest bail on furnishing bail bonds of Rs. 20,000/- each, with one local surety each to the satisfaction of the arresting authority, under the following conditions:-

i) the petitioners shall appear before the Investigating Officer within 7 (seven) days from the date of the order;

ii) the petitioners shall not hamper and tamper with the evidence of the case,

and/or influence the witnesses; and

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

7. Bail Application stands disposed of.

JUDGE

Comparing Assistant