GAHC010214252026

2026:GAU-AS:16184

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

Case No. : Bail Appln./3015/2026

FARUK ABDULLAH
S/O AFAZ UDDIN, R/O VILL SHAWRACHARA RESERVE, PO CHIKNI, PS KALGACHIA, DIST BARPETA, ASSAM, PIN 781321

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MD. I H KHAN, MR K ISLAM,MR A ALIM SK

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 04.11.2026

Heard Mr. A. Alim SK, learned counsel, appearing on behalf of the accused-applicant. Also heard Mrs. A. Begum, learned Addl. P.P., representing the State respondent.

2. This is an application under Section 483 of the BNSS, 2023, praying for

granting bail to the accused-applicant in connection with Session Case No. 06/2025 (arising out of Kalgachia P.S. Case No. 121/2024, registered under Sections 87/3(5)/366(3)/340 (2) of BNS, read with Section 9/10/11 of PCM Act), pending before the Addl. Session Judge (FTC), Barpeta.

3. The gist of the case is that an FIR was lodged on 14.09.2024, before the Officer-in-Charge, Kalgachia PS by the informant, alleging that on 02.09.2024, in the evening at about 5.30 PM, her daughter, namely, Ms. 'X' was induced by the accused-applicant along with three other persons and thereby took her to a Kazi and a marriage was registered through the Kazi. It is alleged that the victim girl was minor at that point of time.

4. On receipt of the FIR, the police registered Kalgachia Police Station Case No. 121/2024 under the aforementioned sections. After investigation, the police filed the charge-sheet against the accused-applicant on 31.10.2024 and the matter is at present pending before the Addl. Sessions Court, FTC, Barpeta.

5. The learned counsel appearing for the accused-applicant submits that the accused-applicant was released on bail on an earlier occasion on 18.01.2025. However, since he could not appear before the Trial Court on three occasions due to certain miscommunication with the counsel engaged by him, an NBWA was issued and accordingly, he surrendered on 20.08.2026 and since then, he is behind bars. The learned counsel further submits that 5 of the witnesses, including the victim and the informant had already been examined and the accused-applicant is not involved in any offence of kidnapping and the victim girl had, in fact, voluntarily went with him. He further submits that since 5 of the witnesses have already been examined and the trial is on the verge of completion, the accused-applicant should be granted bail at this stage, as he is willing to appear before the trial court as and when required.

6. TCR in the instant case has been received and the same is perused.

7. Ms. A. Begum, learned Addl. PP, on the other hand, opposes the prayer of bail of the accused-applicant.

8. Taking into account the entire facts of the case and taking note of the fact that vital witnesses have been examined before the trial court, this court is of the considered view that the accused-applicant should be released on bail at this stage. Accordingly, it is directed that the accused-applicant shall be released on bail on furnishing a bail bond of Rs. 50,000/- (Fifty Thousand) with a surety of like nature, to the satisfaction of the learned Addl. Sessions Judge, Barpeta, subject to the conditions that the accused-applicant shall regularly appear before the trial court as and when required and shall not tamper with the evidence nor hamper the trial in any manner whatsoever.

9. In terms of the above, the instant bail application stands disposed of as allowed.

JUDGE

Miriam Degu
(SPA)