GAHC010217352026

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

Case No. : AB/2439/2026

NAZMUL HUSSAIN
SON OF ABUL HUSSAIN, VILLAGE MAHAMMADPUR, P S BARPETA,
DISTRICT BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

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

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 07.10.2026

Heard Mr. HA Ahmed, learned Counsel for the petitioner and Mr. B. Sharma, learned Additional Public Prosecutor for the State.

2. By this application, the petitioner has prayed for pre arrest bail in connection with Barpeta PS Case No. 336/2026 registered under Section 61(2) / 308(6) /308(7)/ 318(4)/ 319(2)/ 112(1)/ 112(2)/ 351(2)/ 3(5) of BNS, 2023.

The FIR in connection with which the petitioner is apprehending arrest was lodged by the police personnel of Barpeta Police Station stating inter alia that the accused person mentioned therein around ten of them without any authority and without any professional qualification had assembled themselves in and around the Police Station and are a making business of exploiting members of the public, who come there in connection with the police work.

3. The learned Counsel for the petitioner submits that the name of the petitioner is not mentioned in the FIR but the police have gone to the residence of the petitioner in search of him in connection with the said case. The said statements were made in the petition at paragraph 4.

4. On the other hand, Mr. B. Sharma, learned Additional Public Prosecutor for the State on the perusal of the Case Diary submits fairly that as far as the petitioner is concerned, there are no specific allegation against him.

5. Upon considerations of the submissions made by the learned Counsels for the parties, more so in view of the fact that no specific allegations were made against the named accused too, this Court deems it fit to enlarge the petitioner on pre arrest bail on furnishing of bail bond of Rs. 20,000/- with one local surety of the like amount to the satisfaction of the Arresting Authority under the following conditions:

i) the petitioner will appear before the Investigating Officer within 15 days from the date of the order.

ii) the petitioner will appear before the Investigating Officer thereafter as and when called for.

iii) the petitioner will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iv) the petitioner will not leave the place of jurisdiction without the permission of the Arresting Authority.

6. Petition is disposed of.

JUDGE

Comparing Assistant