GAHC010218082026

2026:GAU-AS:14948

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

Case No. : AB/2478/2026

SHARUP KHAN AND 2 ORS.
S/O- FIZOR KHAN, R/O-VILLAGE-CHANDANPUR, BAR GHOL, P.S-SARTHEBARI, DISTRICT-BARPETA, ASSAM, PIN-781302

2: MD CHAHAR ALI
S/O- MD. AMIR ALI
R/O- VILLAGE NO. 2 CHARABORI
KHOPANI KUCHI
P.S- HAJO
DIST- KAMRUP
ASSAM
PIN-781102

3: BARKAT ALI
S/O- KHARACHED ALI
R/O VILLAGE- CHARABARI
VTC SARABARI
.OSUB- DISTRICT- HAJO
DISTKAMRUP
ASSAM
PIN78110

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : G UDDIN, MR A K AZAD,P ADHIKARI,MS. M IBNAT

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

06.10.2026

1. Heard Mr. G. Uddin, learned counsel appearing for the petitioners. Also heard Mr. B. Sharma, learned APP appearing for the State of Assam.

2. By this application the petitioners have prayed for pre-arrest bail in connection with Hajo P.S. Case No. 446 of 2026 registered under Section 61(2)/317(2)/317(5)/3(5) of the BNS, 2023.

3. The FIR in connection with which the petitioners are apprehending arrest was lodged by the police personnel of Hajo Police Station stating *inter alia* that upon receiving information regarding the illegal transportation, possession and handling of stolen fertilizers the police personnel along with their staff intercepted a vehicle. Upon searching the vehicle they found 100 bags of urea fertilizer. When the driver was asked to produce the relevant documents in respect of the said fertilizer no such documents were produced.

4. The learned counsel appearing for the petitioners submits that the petitioners were not named in the FIR, however the police are searching for them in connection with the said FIR. It is further submitted that certain media reports have been published alleging the involvement of the petitioners in the said incident.

5. Mr. B. Sharma, learned APP however submits that the petitioners have no reasonable apprehension of arrest in connection with the said case.

6. Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that the petitioners have pleaded that their

involvement in the said case has been reported by the media and also in view of the oral submission made by the learned counsel that the petitioners are being searched for by the police, this Court is inclined to grant the privilege of pre-arrest bail to the petitioners. Accordingly, in the event of their arrest, the petitioners shall be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) each with one local surety each of the like amount to the satisfaction of the Arresting Authority subject to the following conditions:

(i) The petitioners shall positively appear before the Investigating Officer within a period of 10 days from today and corporate with the investigation without any failure,

(ii) The petitioners shall not hamper and tamper with the evidence of the case, and/or influence the witness connected with the case; and

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

7. Accordingly, this Anticipatory Bail application is disposed of.

JUDGE

Comparing Assistant