GAHC010218502026

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

Case No. : AB/2453/2026

ABDUL HANNAN
S/O ABDUL JABBAR, R/O VILL NO 2 BORGHULI, PS ULUANI, DIST NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM
TO BE REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR SARFRAZ NAWAZ, MR A W AMAN,MD A RAHMAN,MR. SURAJIT DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 12.10.2026

Heard Mr. S. Nawaz, learned Counsel for the petitioner and Mr. DP Goswami, learned Additional Public Prosecutor for the State.

2. By this application, the petitioner has initially raised his grievance that he could be arrested by the officials of Uluani Police Station or Sullung Police Outpost

in connection with some information allegedly given by his cousin or his wife. This Court by order dated 01.10.2026 had instructed the Additional Public Prosecutor to get the instruction as to whether any case has been registered against the petitioner. Subsequently, on 06.10.2026, the learned Counsel appearing for the petitioner himself had furnished the instruction that a case has been registered against the petitioner as Uluani Police Station Case No. 65/2026.

3. The learned Counsel as such had filed an additional affidavit bringing on record the said FIR. In the said FIR, it is stated by the informant that while she was on her way to her mother in laws house, the petitioner pulled her and tried to outrage her modesty and at that juncture, when she shouted other accused persons had come and there was a quarrel between her, the accused person and her mother in law, who had come to the place of occurrence by then. It is also stated in the FIR that the petitioner had pelted stones and that the brother in law of the informant got injured and his rib bone cracked. The learned Counsel for the petitioner submits that there was a quarrel between the petitioner and his cousins over a land dispute which happened on 06.08.2026 and that the mother of the petitioner had lodged an FIR on 19.09.2026, raising allegations against the informant and his family members of hitting the petitioner and others. He further submits that after this Court had called for a report from the Police Officer as to whether any case has been lodged against the petitioner, the informant had lodged the FIR on 01.10.2026 which was registered by the police on 02.10.2026. He as such submits that there is a land dispute between the petitioner and relatives and the informant and relatives and due to the same, some quarrel had taken place between them.

4. Mr. DP Goswami, learned Additional Public Prosecutor for the State on the other hand submits that the Case Diary would make the things clear and he has prayed for calling of the Case Diary.

5. Upon considerations of the submissions made by the learned Counsels for the parties, more so in view of the fact that an FIR was earlier lodged by the mother of the petitioner and occurrence had taken place on 06.08.2026 and the FIR against the petitioner came to be lodged on 01.10.2026, 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 and if the petitioner does not appear within that period, the bail order may be cancelled.

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