GAHC010219272026

2026:GAU-AS:15392

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

Case No. : AB/2491/2026

NUR ALOM
S/O NAJAR ALI, R/O VILL SUTARKUCHI, PS MUKALMUA, DIST NALBARI, ASSAM, PIN 781126

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A ROSHID, MS. M R DEVI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

12.10.2026

1. Heard Mr. A. Roshid, learned counsel appearing for the petitioner. Also heard Mr. R.J. Baruah, learned APP appearing for the State of Assam.

2. By this application the petitioner has prayed for grant of pre-arrest bail in connection with Mukalmua Police Station Case No. 137/2026 registered under

Sections 61(2)(b) and 310(2) of the BNS, 2023.

3. The FIR in connection with which the petitioner is apprehending arrest was lodged by the proprietor of Choudhury Enterprise stating *inter alia* that certain goods were loaded onto a truck in Guwahati for delivery at a place in Kokrajhar. The informant further alleged that while the vehicle was on its way, it was intercepted at a particular location by some miscreants arriving on motorcycles who by brandishing weapons forcibly took control of the vehicle and diverted it to an isolated place. Thereafter, by cutting the security seal the miscreants allegedly took away all the goods loaded in the vehicle.

4. The learned counsel appearing for the petitioner submits that the police are searching for the petitioner merely on suspicion and that he is not involved in the offence alleged in the FIR.

5. On the other hand, Mr. R.J. Baruah, learned APP upon perusal of the case diary submits that the driver of the vehicle belonging to the said company stated in his statement that while he was on his way a few miscreants intercepted him and took his vehicle to another place. The learned APP further refers to the statement of another driver who stated that the petitioner had called him and that upon his arrival certain articles from a pickup van were loaded onto his truck and taken to another place.

6. Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that the petitioner allegedly arranged another truck loaded the articles from the vehicle belonging to the company onto the said truck and transported them to another place, this Court does not deem it fit to grant the privilege of pre-arrest bail to the petitioner.

7. Accordingly, the petition stands rejected.

JUDGE

Comparing Assistant