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

Case No. : Bail Appln./3151/2026

AKKER ALI
SON OF ASOR ALI, VILLAGE NO. 1 ULUBARI, P.O. ULUBARI, P.S. THELAMARA, DISTRICT SONITPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. M ALI, MD. ANARUL ISLAM,MR. J UDDIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

07-10-2026

Heard Mr. M. Ali, learned counsel for the petitioner. Also heard Mr. K.K. Das, learned Additional Public Prosecutor, appearing for the State respondent.

2. This is an application under Section 483, of the BNSS, 2023 for granting bail to the accused/petitioner, namely, Akker Ali, who was arrested on 09.08.2026 in

connection with Thelamara P.S. Case No. 57/2026, under Section 74/ 76/ 127 (2)/ 117 (2)/ 351 (3)/ 3 (5) of BNS, 2023. The petitioner has completed 59 days in custody.

3. The learned counsel for the petitioner has submitted that the allegations against the petitioner are of kicking, punching, and slapping the informant and his family members during a fight between the two parties.

4. The learned counsel for the petitioner has submitted that the petitioner had filed an FIR against the parties who had attacked them on 08.08.2026 about an hour after the FIR had been lodged against him.

5. In the facts and circumstances, since the investigation has progressed substantially, the petitioner herein may be allowed the privilege of bail.

6. The learned Addl. P.P. has submitted that the charge sheet is not yet submitted on telephonic instructions to the investigating officer but has, however, submitted that the allegations are grave and the petitioner may not be entitled to the privilege of bail.

7. Having heard the learned counsel for the parties and also having regard to the fact that the petitioner has already passed 59 days in custody and the present case is one of a cross FIR between two parties, who were engaged in a brawl, I deem it fit to hold the petitioner entitled to the privilege of bail.

8. Accordingly, the petitioner shall be released on bail on furnishing a bond of Rs. 30,000/- with two sureties of the like amount, subject to the satisfaction of the learned Chief Judicial Magistrate, Sonitpur. The learned CJM shall be at liberty to impose such other conditions as may be necessary to ensure the participation of the petitioner in the further investigation, if any.

9. Bail application accordingly disposed of.

JUDGE

Comparing Assistant