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

Case No. : Bail Appln./3209/2026

RIYAZ UDDIN @ RIYAZUL ISLAM
S/O SEKAN ALI, R/O VILL SALMARA PT- III, P.S.- FAKIRGANJ, DIST- DHUBRI, ASSAM, PIN- 783349

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : R AMIN, MR. M HAQUE,S K RAHMATULLAH

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 06.11.2026

Heard Mr. R. Amin, learned counsel for the accused applicant. Also heard Mr. B. Sarma, learned Additional Public Prosecutor appearing for the State.

2. This is an application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 whereby the petitioner, Riyaz Uddin @ Riyazul Islam, has prayed for granting him bail after he was arrested in connection with Fakirganj P.S. Case No.97/2026 under Sections 61(2)/103(1) of BNS, 2023.

3. The gist of the case as alleged in the FIR is that on 18.08.2026 the complainant

namely Mogol Hussain lodged an FIR before the Bondihana outpost stating that his daughter Samina Khatun was married to the accused namely Riyaz Uddin about five years ago.

4. It is alleged that due to physical and mental torture committed by the accused applicant, the daughter of the informant committed suicide on 16.08.2026.

5. On the basis of the FIR, police registered Fakirganj P.S. Case No.97/2026 under the aforementioned Sections and thereafter charge-sheet was filed on 02.11.2026. The matter is pending for consideration of charge at this stage.

6. The learned counsel for the accused applicant submits that the accused applicant is behind bars for the last 78 days and there is no offence committed by the accused applicant as alleged in the FIR. The FIR has been falsely filed on the basis of suspicion when there is no material against the accused applicant. He further submits that the accused applicant is having two minor children who are required to be taken care of by him.

7. On the other hand, learned Additional Public Prosecutor opposes the prayer for bail saying that charges are yet to be framed in the instant case. From the Post-mortem report as well as materials available in the TCR, there are prima facie materials against the accused applicant and therefore, the accused applicant should be granted bail at this stge.

8. Taking into account the materials available in the TCR as well as considering the submissions made by the learned counsel for the respective parties, this Court is of the considered opinion that bail should be granted to the accused applicant.

9. Accordingly, it is directed that the accused applicant named above shall be released on bail on furnishing bail bond of Rs.50,000/- with one surety of like nature to the satisfaction of learned CJM, Dhubri subject to the following conditions:-

(i) the accused applicant shall cooperate with the trial and appear before the trial

Court as and when called for;

ii) the accused applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

10. In terms of the above, the instant application is disposed of.

JUDGE

Comparing Assistant