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

Case No. : AB/2558/2026

MASUM AHMED @ MASUM HUSSAIN AND ANR
S/O- JAIDUL HUSSAIN

2: MAHRUF UDDIN @ MARUF HUSSAIN
BOTH ARE THE S/O- JAIDUL HUSSAIN
R/O VILL- ISLAM NAGAR
P.S.- HOJAI
DIST.- HOJAI
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. M I HUSSAIN, MS. P AHMED,R KHA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 08.10.2026

Heard Mr. MI Hussain, learned Counsel for the petitioners and Mr. DP Goswami, learned Additional Public Prosecutor for the State.

2. By this application, the petitioners have prayed for pre arrest bail in

connection with Hojai P.S. Case No. 209/2026 registered under Sections 117(2)/118(2)/109(1)/191(2) of BNS, 2023. The FIR in connection with which the petitioners are apprehending arrests was lodged by the father of the victim stating inter alia that when his two sons went to the market to sale agor, the petitioners along with others attacked them and cause serious injuries.

3. The learned Counsel for the petitioners submits that the story narrated in the FIR is a concocted story and that the petitioners have lodged an FIR against the informant and other family members. He also submits that both the parties have entered into a settlement and has made application before the Investigating Officer.

4. Mr. DP Goswami, learned Additional Public Prosecutor for the State on the other hand submits that the injuries are stated to be serious on one of the son of the informant and prays for calling of the Case Diary.

5. Upon consideration of the submissions made by the learned Counsel for the parties, more so, in view of the fact that the petitioners had also lodged an FIR and there are chances of settlement amongst the parties, this Court deems it fit to enlarge the petitioners on pre arrest bail on furnishing of bail bond of Rs. 20,000/- each with one local surety each of the like amount to the satisfaction of Arresting Authority under the following conditions:

i) the petitioners will appear before the Investigating Officer within 15 days from the date of the order.

ii) the petitioners will appear before the Investigating Officer thereafter as and when called for.

iii) the petitioners will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iii) the petitioners will not leave the place of jurisdiction without the permission of the Arresting Authority.

6. Petition is disposed of.

JUDGE

Comparing Assistant