GAHC010224852026

2026:GAU-AS:15199

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

**Case No. : Bail Appln./3202/2026**

NUR JAMAL KHAN AND 3 ORS.
SO TOMEJ UDDIN KHAN, RO VILL GHORAMARA PATHER, PS CHHAYGAON, DIST KAMRUP , ASSAM

2: JAMAL KHAN
SO TOMEJ UDDIN KHAN
RO VILL GHORAMARA PATHER
PS CHHAYGAON
DIST KAMRUP
ASSAM

3: MIZANUR RAHMAN @ MIJANUR RAHMAN
SO SUKU MIYA ALIAS SHUK MIYA
RO VILL GHORAMARA PATHER
PS CHHAYGAON
DIST KAMRUP
ASSAM

4: SAYEED ALI @ CHAJED ALI
SO KHALIL UDDIN
RO VILL GHORAMARA PATHER
PS CHHAYGAON
DIST KAMRUP
ASSA

VERSUS

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

**Advocate for the Petitioner** : MR SARFRAZ NAWAZ, MD A RAHMAN,MR A W AMAN

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**
**HONOURABLE MRS. JUSTICE SHAMIMA JAHAN**

**ORDER**

**Date : 08.10.2026**

Heard Mr. A. W. Aman, the learned counsel for the petitioners and Mr. R. J. Baruah, the learned Addl. Public Prosecutor for the State of Assam.

2. By this application, the petitioners have paid for bail in connection with Chhaygaon P.S. Case No. 211/2026, registered under Sections 305(e)/3(5) of the BNS, 2023.

3. The FIR in connection with which the petitioners were arrested on 28.09.2026, was lodged by the police personnel of Jorshimuli, Police Out Post stating *inter alia* that on an information that, in the house of one, Jamal Khan, some materials of a tower stolen from some place were hoarded, the police personnel along with other staff reached the place of occurrence and saw the petitioners cutting the cables into pieces in the courtyard of the house and burning them. It was further stated that, a search was conducted in the said house and various articles were found and the same were seized. It is also stated that during interrogation, it was learnt that the petitioners with each other's help had stolen the articles from the tower and were burning them.

4. The learned counsel for the petitioner submits that the allegation made in the FIR is vague and no specific allegation as to from where it was stolen and whether the petitioners had stolen the articles or they knew that those articles

were stolen articles was not there. He further submits that the petitioner No.1, is the employee of Narula Infrastructure Pvt. Ltd. and employed for the post of Rigger.

5. On the other hand, Mr. R. J. Baruah, the learned APP for the State, submits that, the allegation against the petitioners are writ large in the FIR and they themselves had admitted that they had stolen the articles and as such, he prays for calling off the Case Diary.

6. Upon consideration of the submissions made by the learned counsels, more so in view of the fact that, no specific allegation as to whether, the petitioners are involved in stealing of the articles, this court enlarges the petitioners on bail on furnishing of a bail bond of Rs. 20, 000/- (Rupees Twenty Thousand) each with one local surety of the like amount to the satisfaction of the CJM, Amingaon under the following conditions:

(i) The petitioners shall positively appear before the Investigating Officer as and when call for.

(ii) The petitioners shall not hamper and tamper with the evidence of the case, and/or influence the witness connected with the case; and

(iii) The petitioner shall not leave their residence without prior permission of the Investigating Officer.

7. The Bail Application stands disposed of.

**JUDGE**

**Comparing Assistant**