GAHC010227592026

2026:GAU-AS:16090

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

Case No. : AB/2640/2026

1:NUR MAHMMAD ALI AND 9 ORS.
SONS OF LATE HARMUJ ALI

2: MD NAJIR ALI
SONS OF LATE HARMUJ ALI

3: NUR ISLAM ALI ALIAS PUTUL ALI
SONS OF NUR MAHMMAD ALI

4: NUR SAHEB ALI
SON OF NUR MAHMMAD ALI

5: SANOWAR HUSSAIN ALIAS SANOWAR ALI
SON OF NUR MAHMMAD ALI

6: RAJIBUL ALI
SON OF MD. NAJIR ALI

7: NASIRUDDIN ALI ALIAS NASIR ALI
SON OF MD. NAJIR ALI

8: ASHIK ALI ALIAS ASHIK KHAN ALIAS DHAN
SON OF MD. NAJIR ALI

9: AJIBOR ALI ALIAS BORO ALI

SON OF MD. NAJIR ALI

10: ASIKUL ALI ALIAS ASIBUL ALI
SON OF MD. NAJIR ALI ALL ARE RESIDENT OF VILLAGE- UJANKURI
POLICE STATION- HAJO
DISTRICT- KAMRUP
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. U K BARMAN, MR. R KONWAR,MR D PEGU,MR H ALI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : ***03.11.2026***

Heard Mr. H. Ali, learned counsel for the accused applicants. Also heard Mr. K. K. Das, learned Addl. Public Prosecutor for the State of Assam.

2. This is an application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying for the grant of anticipatory bail to the accused applicants, namely: *(1) Nur Mahmmad Ali; (2) Md. Najir Ali; (3) Nur Islam Ali @ Putul Ali; (4) Nur Saheb Ali; (5) Sanowar Hussain @ Sanowar Ali; (6) Rajibul Ali; (7) Nasiruddin Ali @ Nasir Ali; (8) Ashik Ali @ Ashik Khan @ Dhan; (9) Ajibor Ali @ Boro Ali; and (10) Asikul Ali @ Asibul Ali*, in connection with Hajo P.S. Case No. 488/2026, registered under Sections 118(2)/131/189(2)/329(4)/49 of the Bharatiya Nyaya Sanhita (BNS), 2023.

3. An FIR was lodged on 22.09.2026 by the informant, Sahijan Bibi, before the Officer-in-Charge of Ramdia Police Outpost, alleging, *inter alia*, that the accused persons No. 3, 8 and 9, who were named in the FIR had taunted her son by calling him a ‘Hijara’ at Muslimpara Chowk, following which a quarrel

took place between them. It is further alleged that after her son returned home, the accused applicants came to her house armed with daos, sticks, etc., and assaulted him, thereby causing him serious injuries. It is alleged that owing to the injuries sustained by her son, he had to be taken to GMCH, for treatment, where he received eight stitches on his head.

4. On receipt of the FIR, the police registered Hajo P.S. Case No. 488/2026 under the aforementioned sections.

5. Learned counsel for the accused applicants submits that in fact, another FIR dated 23.09.2026 was lodged by four of the accused persons before the Officer-in-Charge of Ramdia Police Outpost, alleging that on 21.09.2026, a quarrel had taken place between the son of the informant, namely, Mridul Ali @ Jiyaful Islam and the informant's brother, *Ashik Khan,* during which the former assaulted the latter with a knife. It is further alleged that, when the informant, along with others, went to the house of the aforesaid Mridul Ali, the accused persons, namely, Mridul Ali's father, Mridul Ali himself and others, assaulted the informant, as a result of which the informant sustained grievous injuries.

6. Learned counsel further submits that there had been previous disputes between the parties and, owing to the pre-existing enmity, the present incident had occurred. He submits that the accused applicants are willing to cooperate with the investigation and, therefore, they may be granted the privilege of anticipatory bail at this stage.

7. On the other hand, Mr. Parasar, learned Additional Public Prosecutor opposes the prayer for pre-arrest bail at this stage.

8. The Case Diary in the instant case has been received, and on perusal of the same, this Court is of the considered opinion that the accused applicant Nos. 1, 5 and 6, namely, (1) Nur Mahmmad Ali; (5) Sanowar Hussain @ Sanowar Ali; and (6) Rajibul Ali, *prima facie* appear to be involved in causing the injuries. Therefore, this Court is not inclined to grant any relief to the aforesaid three accused applicants.

9. However, in respect of the remaining accused applicants, this Court is of the opinion that they can be granted the privilege of pre-arrest bail. Accordingly, it is directed that in the event of their arrest by the Arresting Authority, the accused applicant Nos. 2, 3, 4, 7, 8, 9 and 10, namely, **(2) Md. Najir Ali; (3) Nur Islam Ali @ Putul Ali; (4) Nur Saheb Ali; (7) Nasiruddin Ali @ Nasir Ali; (8) Ashik Ali @ Ashik Khan @ Dhan; (9) Ajibor Ali @ Boro Ali; and (10) Asikul Ali @ Asibul Ali**, shall be released on bail upon furnishing bail bonds of Rs. 30,000/-(Rupees Thirty Thous1.and only) each, with one surety of like nature to the satisfaction of the Arresting Authority, subject to the following conditions:

(i) that the accused applicants shall appear before the I.O. of the case within a period of 10 days from the date of passing of this order;

(ii) that the accused applicants shall fully cooperate with the investigation and make themselves available as and when called for by the I.O.;

(iii) that the accused applicants 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 such person from disclosing such facts before the Investigating Officer; and

(iv) that the accused applicants shall not hamper or tamper with the investigation in any manner whatsoever.

10. With the aforesaid directions, the instant anticipatory bail application stands disposed of, as allowed.

JUDGE

Comparing Assistant