GAHC010228072026

2026:GAU-AS:15393

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

**Case No. : Bail Appln./3268/2026**

ATIKUR RAHMAN AND 3 ORS
SON OF ABDUR RAHMAN RESIDENT OF VILLAGE BARNI PS HAJO
DISTRICT KAMRUP ASSAM

2: MAHIRUDDIN ALI
SON SUKUR ALI RESIDENT OF VILLAGE DAKHIN BARNI PS HAJO
DISTRICT KAMRUP ASSAM

3: NEKIBUR RAHMAN
SON OF MATIUR RAHMAN RESIDENT OF VILLAGE BARNI PS HAJO
DISTRICT KAMRUP ASSAM

4: JAIDUL ISLAM
SON OF LALMAMUD ALI RESIDENT OF VILLAGE HABLAKHUWA PS
MUKALMUA DISTRICT NALBARI ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

**Advocate for the Petitioner** : MR B KARDONG, S K DAS,MR H J MEDHI

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

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

**ORDER**

**12.10.2026**

**1.** Heard Mr. B. Halder, learned counsel appearing for the petitioners. Also

heard Mr. R.J. Baruah, learned APP appearing for the State of Assam.

**2.** By this application the petitioners have prayed for bail in connection with Mukalmua PS Case No. 137 of 2026 registered under Sections 61(2)/(b)/310(2) of the BNS, 2023.

**3.** The FIR in connection with which the petitioners were arrested was lodged by Choudhury Enterprise stating *inter alia* that the company had loaded goods onto a truck for delivery to Kokrajhar. However, while the vehicle was on its way it was intercepted by miscreants and diverted to another place where the security seal was cut and the goods were looted.

**4.** The learned counsel appearing for the petitioners submits that petitioner Nos. 1, 2 and 3 were arrested merely on suspicion whereas petitioner No. 4 was arrested on the basis of the statement made by the driver of another truck onto which the looted articles were loaded.

**5.** Mr. R.J. Baruah, learned APP on the other hand upon perusal of the case diary submits that there is sufficient material against petitioner No. 4 more particularly in the statement of a co-accused. Mr. Baruah further submits that other miscreants involved in the offence are yet to be arrested and that the looted articles have also not been recovered.

**6.** Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that the petitioners have been in custody since 19.09.2026 and that the material against petitioner No. 4 is primarily in the form of the statement of a co-accused, this Court is inclined to enlarge the petitioners on bail. Accordingly, the petitioners shall be released on bail upon

furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) each with one local surety each for the like amount to the satisfaction of the learned Chief Judicial Magistrate, Nalbari subject to the following conditions:

(i) The petitioners shall appear before the Investigating Officer as and when called for,

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

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

**7.** Accordingly, this Bail Application stands disposed of.

**JUDGE**

**Comparing Assistant**