GAHC010228392026

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

**Case No. : Bail Appln./3294/2026**

HASMAT ALI
S/O SURAP ALI, R/O VILL HAKAMA PT I, PO BILASIPARA, PS BILASIPARA, DIST DHUBRI, ASSAM, PIN 783348

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

**Advocate for the Petitioner** : MR J ISLAM,

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

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

**ORDER**

**Date : 13.10.2026**

Heard Mr. J. Islam, the learned counsel for the petitioner and Mr. R. J. Baruah, the learned Addl. Public Prosecutor for the State of Assam.

2. By this application the petitioner has prayed for bail in connection with PRC Case No. 345/2026, in corresponding to Bilasipara P.S. Case No. 207/2026, registered under Sections 118(2), 109 as well as 3(5) of the BNS, 2023, which is

pending before the Court of SDJM, Bilasipara.

3. The FIR in connection with which the petitioner was arrested on 30.07.2026, was lodged by the father of the victim stating *inter alia* that, petitioner along with others had called his son to their house and when he went there, he was attacked with kicks, punches and that, he sustained injuries and for which he was under treatment at Kokrajhar Medical Hospital.

4. The learned counsel for the petitioner submits that, the story narrated in the FIR is a concocted story and that, one of the accused person in the said FIR had lodged another FIR against the alleged victim of the FIR filed against the petitioner stating *inter alia* that, the victim had entered her house and committed rape upon her and when villagers reached, the alleged victim fled from the occurrence. He submits that the present FIR is lodged only in retaliation to the FIR lodged by one of the accused person mentioned in the present FIR.

5. Mr. R. J. Baruah, the learned APP on the other hand submits that the Case Record be called for in order to see the complicity of the petitioner.

6. It is also seen in the instant case that in both the cases the police completed the investigation and had submitted Charge-sheet.

7. Upon consideration of the submissions made by the learned counsels, more so in view of the fact that, investigation is over and charge-sheet is submitted in respect of both the cases and also due to the fact that the petitioner has been inside the jail for the last 76 days, this court enlarges the petitioner on bail, on furnishing of a bail bond of Rs. 20, 000/- (Rupees Twenty Thousand) with one local surety of the like amount to the satisfaction of the SDJM, Bilasipara under the following conditions:

(i) The petitioner shall positively appear before the Trial Court without fail as and when call for.

(ii) The petitioner 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 Trial Court.

8. The Bail Application stands disposed of.

**JUDGE**

**Comparing Assistant**