GAHC010229162026

2026:GAU-AS:15488

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

Case No. : Bail Appln./3306/2026

MD RAFIKUL HOQUE
S/O. MD JILAL HAQUE, R/O. AHATA, P.S. MUKALMUA, DISTRICT NALBARI, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. B CHOWDHURY,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 13.10.2026

Heard Mr. B. Chowdhury, 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 Mukalmua P. S. Case No. 161/2026, registered under Sections 336(3), 338,

340(2), 230(1), 231, 318(4) as well as 61(2), of the BNS, 2023.

3. The FIR in connection with which the petitioner was arrested on 21.09.2026, was lodged by the police personnel of Mukalmua Police Station stating *inter alia* that, while looking into the birth certificate of a missing girl in connection with another case, it was found that, two numbers of birth certificates were issued and both the birth certificates show different dates as well as different information and it is stated that petitioner along with another is involved in the said offence.

4. The learned counsel for the petitioner submits that the petitioner had uploaded the information given to him by accused no. 1, mentioned in the said FIR and as such, he is not involved in the offence.

5. Mr. R. J. Baruah, the learned APP on the other hand submits that, the Case Diary be called in order to see the complicity of the petitioner and he submits that the present allegation is very serious in nature.

6. Upon consideration of the submissions made by the learned counsels, more so in view of the fact that, no specific act as to how the petitioner is involved in forgery or in existence of two numbers of birth certificates and also due to the fact that, the petitioner has been inside the jail for quite some time, 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 CJM, Nalbari under the following conditions:

(i) The petitioner shall positively appear before the Investigating Officer 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 Investigating Officer.

7. The Bail Application stands disposed of.

JUDGE

Comparing Assistant