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

Case No. : AB/2724/2026

ABDUL JALIL AND 3 ORS.
S/O NARUL ISLAM
R/O SAMARALI TUPGAON, P.S - MURAJHAR, DISTRICT - HOJAI, ASSAM

2: ABDULLAH AHMED

S/O TOIBUR RAHMANR/O SAMARALI TUPGAON P.S -
MURAJHARDISTRICT - HOJAI
ASSAM

3: SULEMAN AHMED

S/O TOIBUR RAHMAN
R/O SAMARALI TUPGAON
P.S - MURAJHAR
DISTRICT - HOJAI
ASSAM

4: SHIBIR AHMED

S/O TOIBUR RAHMAN
R/O SAMARALI TUPGAON P.S - MURAJHAR DISTRICT - HOJAI
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. I U CHOWDHURY, JANIFAR RAHMAN,MR. SURAJIT DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 20.11.2026

Heard Mr. IU Chowdhury, learned Counsel for the petitioners and Mr. KK Das, learned Additional Public Prosecutor for the State.

2. By this application, the petitioners, four in numbers have prayed for pre arrest bail in connection with Murajhar PS Case No. 191/2026 registered under Section 109/ 132/ 189(2)/ 191(2)/ 238(4)/ 304(2)/ 351(3) of BNS, 2023. The FIR in connection with which the petitioners are apprehending arrest was lodged by the Sub Divisional Engineer of APDCL, Hojai stating inter alia that when they went to detect the theft of electricity done in the premises of one of the accused person i.e. petitioner no.1, all the petitioners attacked them and caused injuries and obstructed them in their official duties. It is also stated that the petitioners had snatched an amount of Rs. 43,000/- collected by the APDCL staff members as electricity charges.

3. The learned Counsel for the petitioners submits that no specific allegation is made against the petitioners and that the petitioners were enlarged on interim pre arrest bail on the condition that they should appear before the Court within a period of 10 days and they appeared and their statement is recorded and they are cooperating with the investigation.

4. On the other hand, Mr. KK Das, learned Additional Public Prosecutor for the State on perusal of the Case Diary submits that although the petitioners have cooperated with the investigation but the injured witness, who is the staff of APDCL, Hojai had stated that petitioner no.3 and 4 had snatched away an

amount of Rs. 43,000/- from him and that the staff of the APDCL was injured.

5. Upon considerations of the submissions made by the learned Counsels for the parties, more so in view of the fact that the petitioners have cooperated with the investigation, this Court deems it fit to make the order dated 16.10.2026 absolute. Accordingly, the order is made absolute with the following conditions:

i) the petitioners will appear before the Investigating Officer as and when called for.

ii) the petitioners will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iii) the petitioners will not leave the place of jurisdiction without the permission of the Arresting Authority.

6. Petition is disposed of.

JUDGE

Comparing Assistant