GAHC010237962026

2026:GAU-AS:16259

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

Case No. : Bail Appln./3443/2026

JALAL UDDIN AND ANR
SON OF LATE AMJAD ALI, RESIDENT OF FUKIRTARI, CHIRAKHOWA PART 6, P.O.- ALAMGANJ, P.S.- FAKIRAGANJ, DHUBRI, ASSAM, PIN 783339.

2: MOKTARUL HUSSAIN ALIAS MOKTARUL HOQUE
SON OF LATE ABUBAKKAR SIDDIQUE
RESIDENT OF HALAKURA BOU BAJAR
P.S.- GOLAKGANJ
DHUBRI
ASSAM
PIN 783335. BOTH CURRENTLY IN JUDICIAL CUSTODY SINCE 12.10.202

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. M R SODIAL, MR. RAJIB ALI,MUFIDUL ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 05.11.2026

Heard Mr. M. R. Sodial, learned counsel for the accused/applicants. Also heard Mr. K.K. Parasar, learned Additional Public Prosecutor appearing for the

State of Assam.

2. This is an application filed under Section 483 of the BNSS, 2023 praying for grant of bail to the accused applicant namely **1. Jalal Uddin and 2. Moktarul Hussain @ Moktarul Hoque,** in connection with Azara Police Station Case No. 129/2026 corresponding to G.R. No. 0148/2026 registered under Sections 318(40/62/3(5) of BNS, 2023.

3. The allegations as alleged in the FIR dated 11.10.2026 lodged by ASI Tapan Kalita before the Officer-in-Charge, Azara Police Station, Kamrup (M) to the effect that on receipt of a secret information about the possession of fake gold, police went to the construction side belonging to one Subodh Kalita and searched the room, wherein the accused/applicant namely, Jalal Uddin was staying. On search, the police recovered fake gold weighing 707 grms. On being questioned, the accused person could not provide any convincing reply about the possession of fake gold. The accused/applicant also disclosed that one Moktarul Hussain is also involved in the procurement of the fake gold.

4. On receipt of the FIR, the police registered the Azara Police Station Case No. 129/2026 under the aforementioned sections.

5. The learned counsel appearing for the accused/applicant submits that there was no intention of selling the fake gold. In fact, the fake gold was kept as an artefact. He submits that the accused/applicants have already spent 24 days behind bars. He submits that in view of the aforesaid, the accused/applicants should be granted bail.

6. The Case Diary in the instant case has been received and the same is perused.

7. Mr. K.K. Parasar, learned Additional Public Prosecutor appearing for the State of Assam, on the other hand, submits that the investigation of the instant case is at the nascent stage and the other persons involved in the case are yet to be found out as far as the procurement of the fake gold is concerned. Therefore, he opposes the prayer for bail.

8. Taking into account the entire facts of the case, this Court is not inclined to grant relief to the accused/applicants at this stage. Accordingly, the prayer for bail stands rejected.

9. In terms of the above, the instant bail application is dismissed.

JUDGE

Comparing Assistant