GAHC010241582026

2026:GAU-AS:15978

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

Case No. : Bail Appln./3493/2026

SAMSUL HOQUE
SON OF CHERAG ALI, RESIDENT OF VILLAGE BORGOOL, P.S. RATABARI, DISTRICT SRIBHUMI, ASSAM, PIN - 788735

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S K TALUKDAR, K G CHOWDHURY,MR. J M A CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : ***02.11.2026***

Heard Mr. J. M. A. Choudhury, learned counsel for the accused applicant. Also heard Mr. K. K. Parasar, learned Addl. Public Prosecutor for the State of Assam.

2. This is an application filed under Section 483 of the Bharatiya Nagarik

Suraksha Sanhita (BNSS), 2023, praying for grant of bail to the accused applicant in connection with Ratabari P.S. Case No. 135/2026, corresponding to G.R. Case No. 846/2026, registered under Sections 61(2)/318(4)/319(2)/308(7)/317(4)/351(2)/351(3)/111/3(5)/3(6)/3(9) of the BNS, 2023.

3. An FIR was lodged on 05.09.2026 before the Officer-in-Charge, Ratabari Police Station, by one Ripon Paul, LNK (DSB), attached to Ratabari Police Station, alleging, *inter alia,* that the accused applicant, along with one Abdul Mutlib and some other unknown persons, had been operating near Ratabari Police Station in cheating and extorting the general public by pretending to be advocates or persons in authority.

4. On the basis of the above FIR, the police registered Ratabari P.S. Case No. 135/2026 under the aforementioned sections.

5. Learned counsel for the accused applicant submits that the other person named in the FIR has already been granted bail and the allegations against the accused applicant are totally vague, with no specific allegations made against him. He further submits that, in similar cases, the Coordinate Benches of this Court have granted bail to similarly situated accused persons. He further submits that the accused applicant is already behind the bars for 59 days and, therefore, further custodial detention of the accused applicant may not be required in the instant case.

6. On the other hand, Mr. Parasar, learned Addl. P.P., opposes the prayer for bail, stating that the Case Diary should be called for in the instant case.

7. Taking into account the facts of the case and considering that the accused applicant has already spent 59 days in custody, this Court is of the considered

opinion that further custodial detention of the accused applicant in the instant case may not be required. Therefore, it is directed that the accused applicant shall be released on bail upon furnishing a bail bond of Rs.30,000/- (Rupees Thirty Thousand only), with one surety of a like nature to the satisfaction of the learned Chief Judicial Magistrate, Sribhumi, subject to the following conditions:

(i) that the accused applicant shall cooperate with the investigation and shall appear before the I.O. as and when called for;

(ii) that the accused applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts before the Investigating Officer; and

(iii) that the accused applicant shall not hamper or tamper with the investigation in any manner whatsoever.

8. In view of the aforesaid, this bail application stands disposed of as allowed.

JUDGE

Comparing Assistant