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2026:GAU-AS:16412

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

Case No. : Bail Appln./3531/2026

MD AFAJ UDDIN
S/O. MD.MAINUDDIN, R/O. VILLAGE 2 NO. ISLAMPUR, P.S. BIHPURIA,
DISTRICT LAKHIMPUR, 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 MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

10.11.2026

Heard Mr. B. Chowdhury, learned counsel for the petitioner. Also heard Mr. M.P. Goswami, learned Addl.P.P. for the State.

By this application the petitioner has prayed for grant of bail in connection

with Bihpuria Police Station Case No. 166/2026 registered under Sections 61(2), 318(4), 316(2), 178, 179, 180 and 3(5) of the BNS, 2023.

The FIR in connection with which the petitioner was arrested on 22.08.2026 was lodged by police personnel of Bihpuria Police Station stating inter alia that acting on information that the petitioner was involved in the illegal trade of fake gold and counterfeit Indian currency notes, the informant along with other police personnel proceeded to the petitioner's residence. Upon conducting a search, one boat-shaped object of golden colour and one smartphone were allegedly recovered. It is further stated that during interrogation the petitioner disclosed that he and others used to supply fake gold and counterfeit Indian currency notes across India.

It is submitted by the learned counsel for the petitioner that the main accused of the case, Nobi Hussain from whose house the alleged fake gold was recovered has been granted bail by the High Court vide Order dated 12.10.2026 in Bail Application No. 2753 of 2026. It is further submitted that the petitioner has been arrested on the basis of the statement of the said accused and nothing was recovered from him. Since then, the petitioner has spent 31 days behind bars.

The learned Addl.P.P. submits that the petitioner was arrested on the basis of revealations made by the main accused.

It further appears that vide Order dated 15.10.2026 in AB No. 2333 of 2026, another co-accused has been granted the privilege of pre-arrest bail.

Having regard to the above, the prayer for bail is allowed.

The petitioner in connection with the aforesaid case shall be released on bail on furnishing a bail bond of Rs. 50,000/- with two (2) sureties of like amount to the satisfaction of the learned Trial Court under the following conditions:-

1. The petitioner shall cooperate with the further investigation.
2. The petitioner shall not try to tamper with the evidence or influence the witnesses.

The petition stands disposed of accordingly.

JUDGE

Comparing Assistant