GAHC010243322026

2026:GAU-AS:16545

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

Case No. : AB/2782/2026

MUNOR UDDIN
S/O- KITAP ALI SHEIKH. R/O- BHOWLAGURI DOLAIGAON PARTIII, P.S.- BONGAIGAON, DIST- BONGAIGAON, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM.

Advocate for the Petitioner : MR S M ABDULLAH P, MR. J JAKARIA,MD R ISLAM,MR. MD IMDAD,MD IMRAN,MS F HUSSAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

11.11.2026

Heard Mr S M Abdullah P, learned counsel for the petitioner. Also heard Mr M P Goswami, learned Additional Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for pre-arrest bail in connection with Bongaigaon PS Case No. 215/2026, under Sections 305(b)/112/317(4) of the BNS, 2023.

3. The First Information Report in connection with which the petitioner is apprehending arrest, was lodged on 17.09.2026 by one Mina Mahatta, stating, *inter alia,* that his tempo which was parked in front of the Panchayat office, was stolen by the named accused in the FIR and was sold to the petitioner, who had a scrap shop. It was also stated that the vehicle was recovered and the accused person was handed over to the Police.

4. The learned counsel for the petitioner submits that no allegation is made against the present petitioner in the FIR and that there is nothing to show that the petitioner had purchased the vehicle after knowing that it was a stolen item.

5. Mr M P Goswami, the learned Additional Public Prosecutor for the State, however, submits on perusal of the Case Diary that it was the named accused in the FIR , who had stolen the vehicle and it is also seen by him in the Case Diary that the said vehicle was sold to the petitioner for an amount of Rs. 8,000/-.

6. Upon consideration of the submissions made by the learned counsel, more so, in view of the fact that it is not averred by the Police or in the FIR that the petitioner while purchasing the vehicle knew that the same was stolen, this Court deems it fit that the petitioner be released on pre-arrest bail on furnishing a bail bond of Rs. 20,000/-, with one local surety each to the satisfaction of the arresting authority, under the following conditions:-

i) the petitioner shall appear before the Investigating Officer within 15 (fifteen) days from the date of the order;

ii) the petitioner shall not hamper and tamper with the evidence of the case, and/or influence the witnesses; and

iii) the petitioner shall not leave his residence without prior permission of the Investigating Officer.

7. Bail Application stands disposed of.

8. Send back the Case Diary.

JUDGE

Comparing Assistant