GAHC010243912026

2026:GAU-AS:16549

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

Case No. : AB/2788/2026

NAZIM HUSSAIN AND 4 ORS.
S/O ABUL HUSSAIN, R/O VILL KARAIUNI, PO KARAIYANI, PS HOJAI, DIST HOJAI, ASSAM, PIN 782439

2: PARVEZ ALOM
S/O NOZMUL HUSSAIN
PERMANENT R/O VILL ISLAM NAGAR
PO AND PS HOJAI
DIST HOJAI
ASSAM
PIN 782445

3: MAMUN HUSSAIN
S/O JAINAL UDDIN
PERMANENT R/O VILL ISLAM NAGAR
PO AND PS HOJAI
DIST HOJAI
ASSAM
PIN 782445

4: RAHMAN UDDIN
S/O TAJIR UDDIN
PERMANENT R/O VILL ISLAM NAGAR
PO AND PS HOJAI
DIST HOJAI
ASSAM
PIN 782445

5: AMZAD HUSSAIN
S/O JAINAL UDDIN
PERMANENT R/O VILL ISLAM NAGAR
PO AND PS HOJAI
DIST HOJAI
ASSAM

PIN 78244

VERSUS

THE STATE OF ASSAM
TO BE REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : TAWHID LASKAR, ASHRAFUL BORBHUYAN,MR. D K AGARWALA,MS. S NISHA SULTANA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 11.11.2026

Heard Mr. T. Laskar, the learned counsel for the petitioners and Ms. A. Begum, learned Addl. Public Prosecutor for the State of Assam.

2. By this application, the petitioners 5(five) in numbers have prayed for pre-arrest bail in connection with Hojai, P.S. Case No. 209/2026, registered under Sections 172(2)/118(2)/109(1)/191(2) of BNS, 2023.

3. The FIR in connection with which the petitioners are apprehending arrest was lodged by the father of the victim, stating *inter alia,* that when his two sons were returning after selling agar wood in their motorcycle, the petitioners along with others have assaulted them, causing them injuries. The learned counsel for the petitioners submits that, there was a mutual fight amongst the parties and that the petitioners have also lodged an FIR against the informant and others. He further submits that both the petitioners and the informant side had entered

into a settlement amongst them by filing affidavits by both the petitioners and the informant.

4. On the other hand, Ms. A. Begum, learned Additional Public Prosecutor appearing for the State, submits that the FIR indicates that injuries were sustained by the sons of the informant and, accordingly, prays that the Case Diary be called for to see the entire gamut of the case.

5. Upon consideration of the submissions made by the learned counsels, more so in view of the fact that, the petitioners have also lodged the FIR and a settlement has been reached between both the parties, this Court enlarges the petitioner on pre-arrest bail. Accordingly the petitioners are released on anticipatory bail on furnishing of a bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with one local surety of the like amount to the satisfaction of the Arresting Authority under the following conditions:

(i) The petitioner shall appear before the Investigating Officer within 15 days from the date of this order and he should appear before the same as and when call for.

(ii) The petitioner shall not hamper and tamper with the evidence of the case, and/or influence the witness connected with the alleged case; and

(ii) The petitioner shall not leave their residence without prior permission of the Arresting Authority.

6. The AB application stand disposed of.

JUDGE

Comparing Assistant