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

Case No. : AB/2835/2026

NURUL ISLAM
SON OF LATE AFTAR ALI, RESIDENT OF VILLAGE BRAHMANSHASHAN, BRAHMANSHASHAN PART-II, P.O. BRAHMANSHASHAN, P.S. NILAMBAZAR, DISTRICT SRIBHUMI, ASSAM, PIN 788722

VERSUS

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

Advocate for the Petitioner : MR. DAIYAN HUSSAIN, MR. N AFRUZ,MR. R A MAZUMDER,MR. K BAISHYA,MR. R A CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 10.11.2026

Heard Mr. AS Tapader, learned Counsel for the petitioner and Mr. DP Goswami, learned Additional Public Prosecutor for the State.

2. By this application, the petitioner has prayed for pre arrest bail in

connection with Nilambazar P.S. Case No. 80/2026 registered under Sections 189(2)/329(3)/329(4)/74/296/109/117(2)/118(2) of BNS, 2023. The FIR in connection with which the petitioner is apprehending arrest was lodged on 02.08.2026 by one of the victim stating inter alia that on 30.07.2026, the petitioner went inside the house of his aunt on the pretext of drinking water and caught her with bad intention. It was also stated that when his aunt raised alarm, his father went to her house at which the petitioner fled to the house of the accused no.2 arrayed as such in the FIR and that the accused no. 2 struck his father, as a result of which, his father's hand got cut. It is also stated that when he along with his brothers went to save their father, the accused persons, which includes the petitioner had assaulted him.

3. The learned Counsel for the petitioner submits that there is no allegation against the petitioner in assaulting any of the members of the petitioner's family and that the offences alleged against the petitioner are not attracted in case of the petitioner.

4. On the other hand, Mr. DP Goswami, learned Additional Public Prosecutor for the State submits that the father of the informant was badly injured as well as others and as such, he prays that the Case Diary be seen in order to see the complicity of the petitioner.

5. Upon consideration of the submissions made by the learned Counsel for the parties, more so, in view of the fact that there is no specific allegation against the petitioner in assaulting the informant or his family members and also there being no allegation apart from catching hold of the informant's aunt with bad intention and also due to the fact that the petitioner's side has also lodged an FIR against the informant side wherein a different story is projected, this Court deems it fit to enlarge the petitioner on pre arrest bail on furnishing

of bail bond of Rs. 20,000/- with one local surety of the like amount to the satisfaction of Arresting Authority under the following conditions:

i) the petitioner will appear before the Investigating Officer within 15 days from the date of the order and if he does not appear within 15 days, the bail will stand cancelled.

ii) the petitioner will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iii) the petitioner will not leave the place of jurisdiction without the permission of the Arresting Authority.

6. Petition is disposed of.

JUDGE

Comparing Assistant