GAHC010249392026

2026:GAU-AS:16470

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

Case No. : Bail Appln./3615/2026

ABDUL HASIB BAIG
S/O ABDUL HANNAN BAIG, R/O BUNDASHIL, P.S. BADARPUR, DIST. SRIBHUMI, PIN 788806, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP, ASSAM.

Advocate for the Petitioner : MR. S C BISWAS, MS. S. CHANDA,MS. U NANDA,MR. P S BISWAS,P SHARMA,MS. J GHOSH,MS. K L R YANTHAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE SHAMIMA JAHAN
ORDER

10.11.2026

Heard Mr S C Biswas, learned counsel for the petitioner and Mr D P Goswami, learned Additional Public Prosecutor, representing the State respondent/Assam.

2. By this application the petitioners have prayed for bail in connection with Badarpur PS Case No. 142/2026 registered under Sections 87/81/89 of the BNS, 2023.

3. The FIR in connection with which the petitioners were arrested on 29.09.2026, was lodged by the victim herself, stating, *inter alia,* that she was a married lady and that the petitioner by giving her allurements, eloped with her and that they started staying at a rented place at Bangalore. She further stated that the petitioner engaged her in physical relationship and that she became pregnant and further that the petitioner insisted her for abortion. She also stated that the petitioner brought her back to Assam and made her stay in a rented room and gave her medicine for abortion and that the petitioner left her at the said place and further that, she along with her sister took treatment in the hospital and that her pregnancy resulted in her miscarriage.

4. The learned counsel for the petitioner submits that the story narrated in the FIR is a concocted story and the real story is that the informant herself had taken medicine for abortion of her child as she already had children from her first marriage and also being ashamed of her conduct.

5. Mr D P Goswami, learned Additional Public Prosecutor, on the other hand, submits that the allegation made in the FIR is serious and that the Case Diary be perused

6. Upon consideration of the submissions made by the learned counsels appearing for both the parties, more so, in view of the fact that the victim had herself eloped with the petitioner and stayed in a rented premise at Bangalore, and later on, in Assam, and that she already had children from her first marriage and the allegations also seem to be concocted, this Court finds it fit to enlarge the petitioner on bail on furnishing of a bail bond of Rs. 20,000/-, with one local surety of the like amount to the satisfaction of the learned CJM, Sribhumi/concerned Court, under the following conditions:-

i) the petitioner shall appear before the Investigating Officer/concerned Court

as and when called for.

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.

JUDGE

Comparing Assistant