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

Case No. : AB/2843/2026

HUMAYUN ALI AND 2 ORS.
SON OF LATE HABIBUR RAHMAN, AGED ABOUT- 59 YEARS, PRESENTLY RESIDING AT WARD NO. 3, SORBHOG, P.S. SORBHOG, DISTRICT-BARPETA, 781317, ASSAM.

2: SMTI ARIFA AHMED ALIAS BEGUM ARIFA AHMED
WIFE OF HUMAYUN ALI

3: RUBINA BEGUM
DAUGHTER OF HUMAYUN ALI
BOTH ARE RESIDENT OF AT WARD NO. 3
SORBHOG
P.S. SORBHOG
DISTRICTBARPETA
781317
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR,ASSAM

Advocate for the Petitioner : MR G BORDOLOI, MR. C L PHOM,V LOHE,N J DAIMARI,MS. J BURAGOHAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 16.11.2026

Heard Mr. G. Bordoloi, learned counsel for the accused applicant. Also heard Mr. K.K. Parasar, learned Additional Public Prosecutor appearing for the State.

2. This is an application filed under Section 482 of the BNSS, 2023 praying for granting pre-arrest bail to the accused applicant namely, **1. Humayun Ali 2. Smti. Arifa Ahmed @ Begum Arifa Ahmed and 3. Rubina Begum,** in connection with Bongaigaon P.S. Case No. 205/2026 under Sections 96/127(4)/143(5)/64(1)/65(1)/3(5) of BNS, 2023 read with Section 6/7 of the POCSO Act, 2012.

3. An FIR was lodged on 07.09.2026 by one Jonali Roy and others before the Officer-in-Charge, Bongaigaon Police Station, alleging, *inter alia*, that on 06.09.2026, at around 5:00 p.m., they were informed by the parents of a minor girl that several minor girls were being held captive at Brahmaputra Hotel, located at Chapaguri Road, opposite Axis Bank, and were being sexually assaulted and harassed.

4. It is alleged that, upon receiving such information, the informants, on behalf of Vishwa Hindu Parishad (Bajrang Dal), went to Brahmaputra Hotel, located at Chapaguri, and found that four minor girls were locked inside a room.

5. On being asked, they came to know that the girls were minors, aged about 14, 16 and 17 years, respectively, with two of them being 17 years old.

6. It is further alleged that the accused No. 1, namely, Anthony Hussain, had trafficked the girls from Kokrajhar and Chirang on 27.08.2026 and had kept them confined and exploited them by exposing them to various customers for sexual favours. It is alleged that the accused No. 2, namely, Prasenjit Ghosh, is the owner of the hotel, and accused No. 3, Biman Dey, is the manager of the said hotel. They allegedly provided special rooms for such activities for their personal and financial

gains.

7. It is stated that, upon being informed, the police rescued the girls from the hotel and arrested accused Nos. 2 and 3. However, accused No. 1 managed to escape from the place.

8. On receipt of the FIR, police registered Bongaigaon P.S. Case No. 205/2026 under the aforementioned Sections.

9. The learned counsel for the accused applicants submits that the accused applicants are no way linked with the incident. He submits that the accused applicant No.1 is a government employee, presently working as a teacher of 113 No. Ghugubari L.P. School. The accused No.2 is the wife of the accused No.1 and is a homemaker and the accused No.3 is the daughter of accused applicant No.1. He submits that one Pir Mohammad, who is related to accused No.2, is a joint owner of Spa cum Sallon in the name and style "Perfect Look" situated at Bijni. It is submitted that though some of the girls have stated that they were earlier working in "Perfect Look", which is being run by the prime accused in the instant case namely, Alfred Hussain, the accused applicants are no way connected in the instant case and they were not aware of any illegal activities being done in the aforesaid Spa cum Saloon. He submits that since the aforesaid Pir Mohammad is related to them, the police are searching for the accused applicants and they are apprehending arrest in the instant case. He submits that the accused applicants are willing to cooperate with the investigation and therefore, they should be released on pre-arrest bail.

10. On the other hand, the learned Additional Public Prosecutor opposes the prayer for anticipatory bail of the accused applicants, stating that there is no apprehension of the accused applicants in the instant case and therefore, no relief should be granted to the accused applicants in the instant case.

11. The case diary has been received and the same has been perused.

12. This Court has heard the submissions made by the learned counsel for the

respective parties as well as minutely perused the materials available in the case diary.

13. Taking into account the materials available in the case this Court is of the opinion that the accused applicants should be granted anticipatory bail.

14. Accordingly, it is directed that in the event of arrest of the accused applicants named above, they shall be released on pre-arrest bail on furnishing bail bond of Rs.30,000/- each with a surety of like nature to the satisfaction of the arresting authority subject to the following conditions:-

(i) the accused applicants shall appear before the Investigating Officer within 10 days from today;

(ii) the accused applicant shall cooperate with the investigation and make themselves available as and when called for;

(iii) the accused applicants shall not tamper or hamper with the investigation of the case, in whatsoever manner.

In view of the above, the anticipatory bail application stands disposed of.

15. Return the case diary.

JUDGE

Comparing Assistant