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

Case No. : AB/2877/2026

SHUKUR ALI
S/O. ABDUL SAMAD, R/O. VILLAGE- BARBALA, P.S. HOWLY, DIST. BARPETA, ASSAM, PIN-781316.

VERSUS

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

Advocate for the Petitioner : MR. RASHIDUL ISLAM, MS. M BEGUM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

12.11.2026

1. Heard Ms. R. Islam, learned counsel appearing for the petitioner. Also heard Mr. K.K. Parasar, learned APP appearing for the State of Assam.

2. By this application the petitioner has prayed for pre-arrest bail in connection with Jakhalabandha Police Station Case No. 50/2026 registered under Sections 318(4)/303(2)/317(2) of the BNS, 2023.

3. The FIR in connection with which the petitioner is apprehending arrest was lodged by one Anand Agarwal stating *inter alia* that he had booked a truck for transporting goods from Siliguri to Dergaon. The said truck met with an accident on 10.06.2026, he arranged another truck and loaded 480 bags therein for transportation to Dergaon. However, he stated that the remaining 40 bags were loaded onto another vehicle which did not reach its destination and the driver of the said vehicle was also found missing.

4. The learned counsel appearing for the petitioner submits that the police are searching for the petitioner with the intention of arresting him in connection with the aforesaid case. He further submits that the petitioner is a small shopkeeper dealing in fish feed, fertilizers and other agricultural items and has no connection whatsoever with the alleged offence.

5. On the other hand Mr. K.K. Parasar, learned APP submits that during the course of investigation, the police have apparently found that the driver of the said vehicle had sold the missing bags to the petitioner. He therefore prays for calling for the Case Diary.

6. Upon consideration of the submissions made by the learned counsel for the parties, more so having regard to the fact that there is no specific averment in the FIR regarding the complicity of the petitioner or that he had purchased the missing bags from the driver of the said vehicle, this Court is of the considered view that the petitioner may be granted the privilege of pre-arrest bail. Accordingly, the petitioner is hereby enlarged on pre-arrest bail on furnishing a bail bond of Rs. 20,000/- (Rupees twenty thousand) with one local surety of a like amount to the satisfaction of the Arresting Authority subject to the following conditions:

(i) The petitioner shall positively appear before the Investigating

Officer within a period of 15 days from today and cooperate with the investigation;

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

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

7. Accordingly, this Anticipatory Bail application is disposed of.

JUDGE

Comparing Assistant