GAHC010251132026

2026:GAU-AS:16750

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

Case No. : AB/2890/2026

INJAMUL HOQUE SAIKIA
S/O AINUL HOQUE SAIKIA,PERMANENT RESIDENT OF KHEPKUCHI,P.S. BAIHATA,P.O. MAHAJANPARA,DISTRICT KAMRUP, ASSAM,PIN 781366

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M AHMED, MS S AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

13.11.2026

1. Heard Mr. M.M. Jaman, learned counsel appearing for the petitioner. Also heard Ms. A. Begum, learned APP appearing for the State of Assam.

2. By this application the petitioner has prayed for pre-arrest bail in connection with Goreswar P.S. Case No. 76/2026 registered under Sections 304(2)/351(2)/76 of the BNS, 2023.

3. The FIR in connection with which the petitioner is apprehending arrest was lodged by the victim herself stating *inter alia* that while she was returning from the market along with her husband on a scooty, the accused person named in the FIR pulled her down from the scooty and snatched the golden chain from her neck. It is further alleged that the accused threatened to shoot her and thereafter fled from the place of occurrence. The informant also stated that upon her raising an alarm some nearby boys arrived at the spot, apprehended the accused person and handed him over to the police.

4. The learned counsel appearing for the petitioner submits that the petitioner is in no way involved in the alleged offence and that he was merely called by the police as his vehicle had allegedly been used in the commission of the offence.

5. Ms. A. Begum, learned APP on the other hand submits that since the petitioner's vehicle was allegedly used by the accused persons in the commission of the offence the petitioner may also have some connection with the alleged crime. She therefore prays for calling for the case diary to ascertain the entire gamut of the case.

6. Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that the petitioner is not admittedly found to be directly involved in the alleged offence, this Court is inclined to grant the privilege of pre-arrest bail to the petitioner. 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 without fail,

(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 without prior permission of the Investigating Officer.

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

JUDGE

Comparing Assistant