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

Case No. : Bail Appln./3649/2026

AMIR HUSSAIN ALIAS PAKHI
S/O LATE ABDUR RAHIM, R/O VILL PADUMONI, PS MURAJHAR, DIST HOJAI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. J AHMED, MR B ISLAM,MS J YESMIN,MR Z RAHMAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 12.11.2026

Heard Mr. J. Ahmed, learned Counsel for the petitioner and Mr. KK Parasar, learned Additional Public Prosecutor for the State.

2. By this application, the petitioner has prayed for bail in connection with Howraghat PS Case No. 21/2026 registered under Section 331(6)/310(2) of BNS, 2023 corresponding to PRC Case No.153/2026 pending before the Court of

Chief Judicial Magistrate, Karbi Anglong. The FIR in connection with which the petitioner was arrested on 29.08.2026 was lodged by the brother of the victim stating inter alia that while his brother in law and his sister were sleeping in their house, five numbers of unknown culprits entered into the premises and by tying the inmates of the house looted various articles from the said house.

3. The learned Counsel for the petitioner submits that the police arrested the petitioner only on suspicion and that some of the articles were recovered from another co-accused. He further submits that the police upon completion of the investigation has submitted charge sheet and in the charge sheet, the only allegation made against the petitioner is that he was arrested and that sufficient evidence was found against him.

4. On the other hand, Mr. KK Parasar, learned Additional Public Prosecutor for the State submits that the investigation was conducted and the charge sheet was submitted after finding the complicity of the petitioner in the aforesaid case.

5. Upon considerations of the submissions made by the learned Counsels for the parties, more so in view of the fact that in the charge sheet it was only stated that the petitioner was arrested during a checking conducted at the market without there being any substantiating materials showing his complicity, this Court deems it fit to enlarge the petitioner on bail on furnishing of bail bond of Rs. 20,000/- with one local surety of the like amount to the satisfaction of the CJM, Diphu under the following conditions:

i) the petitioner will appear before the Investigating Officer as and when called for.

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 concerned Court.

6. Petition is disposed of.

JUDGE

Comparing Assistant