GAHC010252122026

2026:GAU-AS:16749

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

Case No. : Bail Appln./3684/2026

SAHADAT ALI
SON OF AKKELUDDIN, RESIDENT OF SADHUBHASA PT. 1, P.S. GAURIPUR
IN THE DISTRICT OF DHUBRI, ASSAM

VERSUS

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

Advocate for the Petitioner : MR. M A MONDAL, MS. SUMAN CHAUHAN,MR. MOZAHER HUSSAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

13.11.2026

Heard Mr N J Dutta, learned counsel for the petitioner and Ms A Begum, learned Additional Public Prosecutor, representing the State respondent/Assam.

2. By this application the petitioner has prayed for bail in connection with Pathsala PS Case No. 107/2026 registered under Sections 305(a)/331(4) of the BNS, 2023.

3. The FIR in connection with which the petitioner was arrested on 01.10.2026, was lodged by the victim, stating, *inter alia,* that he is the owner of a jewellery shop, namely, *Maa Manasha New Jewellers* and that on 14.09.2026, at around 02:15 am, some unknown miscreants by breaking the lock of the shop had stolen gold and silver ornaments worth Rs. 50 lacs along with cash of Rs. 5 lacs.

4. The learned counsel for the petitioner submits that the petitioner was arrested on the basis of the statement made by the co-accused and that the petitioner had no knowledge that the said articles were stolen when he purchased the same from other co-accused. He also submits that the petitioner is inside the jail for 43 days.

5. On the other hand, Ms A Begum, learned Additional Public Prosecutor, submits that the petitioner knew that the articles were stolen articles, as could be seen from the forwarding report, and as such, she prays that the Case Diary be called for, in order to see his complicity in the offence.

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 petitioner has been inside the jail for quite some time, and also due to the fact that there is discrepancy regarding the recovery of the stolen articles, 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, Bajali/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