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2026:GAU-AS:16934

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

Case No. : AB/2893/2026

PRIYANGSHU ISLAM
SON OF SUMI BEGUM, RESIDENT OF AT. ROAD POLICE RESERVE, CAMPUS, PANBAZAR, P.S PANBAZAR, DISTRICT KAMRUPM, ASSAM, PIN - 781001.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P, ASSAM.

Advocate for the Petitioner : MR S M ABDULLAH P, MR. MD IMDAD,MD IMRAN,MS F HUSSAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

17.11.2026

Heard Mr S M Abdullah P, learned counsel for the petitioner. Also heard Mr P Borthakur, learned Additional Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for pre-arrest bail in connection with Latasil PS Case No. 82/2026, under Sections 109/117(2)/351(3)/74/3(5) of the BNS,

2023.

3. The First Information Report in connection with which the petitioner is apprehending arrest, was lodged on 26.10.2026, by the victim stating*, inter alia* that a group of approximately 10 to 12 persons caused injury to one Mohan Choudhury and also that the said persons assaulted other members and had also assaulted a woman and committed offences.

4. The learned counsel for the petitioner submits that the name of none of the assailant figured in the FIR and that during investigation, one co-accused, namely, Rituparna Deka, was apprehended and the said person had revealed the name of the petitioner and that the Police is searching the petitioner for arrest.

5. On the other hand, Mr P Borhakur, the learned Additional Public Prosecutor for the State, on perusal of the Case Diary, submits that during investigation, on seizure of the motorcycle, one co-accused was arrested and on further investigation, the names of the petitioners were revealed.

6. Upon consideration of the submissions made by the learned counsels, this Court finds that the identity of the petitioner, who had assaulted the victim is not revealed by any of the witnesses, neither by the injured witnesses. Further in the order rejecting the Anticipatory Bail Application by the Court of Sessions Judge, Kamrup (M), it is stipulated that the petitioner along with others are involved in assaulting the victim, but no overt act is mentioned against anyone. As such, this Court deems it fit that the

petitioner be released on pre-arrest bail on furnishing bail bonds of Rs. 20,000/-, with one local surety of the like amount to the satisfaction of the arresting authority, under the following conditions:-

i) the petitioner shall appear before the Investigating Officer within 15 (fifteen) days from the date of the order;

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 their residence without prior permission of the Investigating Officer.

7. Bail Application stands disposed of.

8. Send back the Case Diary.

JUDGE

Comparing Assistant