GAHC010261072026

2026:GAU-AS:17410

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

Case No. : Bail Appln./3856/2026

NAZIM UDDIN
S/O LATE MOYUB ALI, R/O VILL DANIRBOND, PS RK NAGAR, DIST SRIBHUMI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. DAIYAN HUSSAIN, MR. N AFRUZ,MR. R A CHOUDHURY,MR. R A MAZUMDER

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

25.11.2026

Heard Mr. D. Hussain, the learned counsel appearing for the petitioner as well as Mr. Bhaskar Sarma, the learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 483 of the BNSS, 2023 whereby the petitioner Nazim Uddin, who is facing trial in G.R. Case No.1580/2025 pending in the court of learned Chief Judicial Magistrate, Sribhumi (CJM, Sribhumi) has prayed for releasing him on bail.

3. The petitioner Nazim Uddin was arrested and sent to judicial custody on 04.12.2015 and the *charge sheet* was filed on 24.02.2026.

4. The *charge sheet* has been filed against the present petitioner along with two other accused persons and one of them i.e. Aftab Uddin was shown as an absconder in the *charge sheet*.

5. The other accused Ajib Uddin is also in judicial custody along with Nazim Uddin. The allegation brought against the present petitioner is that he along with two other accused persons had committed murder. The case is yet to be committed to the court of Sessions as because Aftab Uddin @ Rahul is still absconding.

6. Considering the long detention, the petitioner Nazim Uddin had filed an application before the court of learned CJM, Sribhumi to speed up the case against Aftab Uddin and to commit the case against him and Ajib Uddin to the court of Sessions. That application was rejected by the learned CJM, Sribhumi.

7. Now, the petitioner has pleaded that he has completed 356 days in judicial custody. Considering his long incarceration, he has prayed for releasing him on bail.

8. I have considered the submissions made by the learned counsels of both sides.

9. This Court is of the opinion that long incarceration without trial is a valid ground on which the petitioner has prayed for releasing him on bail. Therefore, the prayer of the petitioner is allowed.

10. The petitioner Nazim Uddin shall be released on bail of ₹50,000/- with a surety of like amount to the satisfaction of the learned CJM, Sribhumi.

11. It is further directed that the petitioner Nazim Uddin shall regularly appear

before the trial court on each and every date of hearing. If he fails to do so, the trial court shall have the liberty to procure his attendance by due process of law.

With the above direction, the present bail application is disposed of.

JUDGE

Comparing Assistant