

GAHC010001402026



2026:GAU-AS:809

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

Case No. : AB/36/2026

SULTAN ABBASH AND 5 ORS.
S/O LATE YAKUB ALI,
R/O VILL MELEKADHING, PS JURIA, DIST NAGAON, ASSAM

2: AZAHAR UDDIN
S/O SULTAN ABBASH
R/O VILL MELEKADHING
PS JURIA
DIST NAGAON
ASSAM

3: FAKAR UDDIN
S/O LATE BASIR UDDIN
R/O VILL 2 NO BARALIMARI
PS JURIA
DIST NAGAON
ASSAM

4: MUBAJJIM ALIAS MUAJJEM HUSSAIN
S/O LATE BASIR UDDIN
R/O VILL 2 NO BARALIMARI
PS JURIA
DIST NAGAON
ASSAM

5: ASMA KHATUN
SO SULTAN ABBASH
RO VILL MELEKADHING
PS JURIA
DIST NAGAON
ASSAM

6: AKLIMA KHATUN
W/O AZAHAR UDDIN

R/O VILL MELEKADHING
PS JURIA
DIST NAGAON
ASSA

VERSUS

THE STATE OF ASSAM
TO BE REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR SARFRAZ NAWAZ, MD A RAHMAN, SAMIM RAHMAN, MR. SURAJIT DAS, MR A W AMAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE RAJESH MAZUMDAR
ORDER

22.01.2026

Heard Mr S Nawaz, learned counsel for the petitioner and Mr K K Das, learned Additional Public Prosecutor for the State of Assam.

2. This application under Section 482 of the BNSS, 2023, has been filed for grant of pre-arrest bail to the petitioners, namely, 1) Sultan Abbash, 2) Azahar Uddin, 3) Fakar Uddin, 4) Mubajjim @ Muajjem Hussain, 5) Asma Khatun, and 6) Aklima Khatun, in connection with Juria PS Case No. 277/2025, registered under Sections 329(4)/118(2)/308(4)/351(2)/3(5) of the BNS, 2023.

3. By the order dated 08.01.2026, this Court has granted interim protection to the petitioner Nos. 5 and 6 in this petition, requiring them to cooperate with the investigation. The petitioner Nos. 5 and 6 have appeared before the investigating authority and their statements have been recorded.

4. The Case Diary has been received by the learned Additional Public Prosecutor. It is submitted that the charge sheet has been submitted against the aforesaid two petitioners.

5. In such view of the matter, the interim protection given to the petitioner Nos. 5 and 6 are hereby made absolute.

6. Having gone through the Case Diary, this Court is of the view that the petitioner Nos. 1, 2, 3 and 4 also deserves to be granted pre-arrest bail, allowing them to appear before the Investigating Officer to have their statements recorded. Accordingly, it is provided that in the event of the arrest of those petitioners, they shall be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only), with a suitable surety of like amount to the satisfaction of the investigating authority, subject to the following conditions:

i) That the petitioner Nos. 1, 2, 3 and 4, shall appear before the concerned Investigating Officer within a period of 7(seven) days of passing of this order;

ii) That the petitioner Nos. 1, 2, 3 and 4, shall not hamper or temper with the evidence of the instant case in any manner;

iii) That the petitioner Nos. 1, 2, 3 and 4, shall not intimidate the informant and shall not try to influence the witnesses and the informant; and

iv) That the petitioner shall fully cooperate with the investigation of the case by appearing before the I.O of the case, as and when required by the I.O.

7. Violation of any bail conditions will entail cancellation of the bail

8. It is made clear that the petitioner Nos. 1, 2, 3 and 4, shall appear before

the investigating authority, on or before 6th of February, 2026, failing which, the protection granted to the petitioner Nos. 1, 2, 3 and 4, shall stand elapsed.

8. Anticipatory Bail Application stands disposed of.

JUDGE

Comparing Assistant