

GAHC010001622026



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

Case No. : AB/27/2026

AJIJUL HOQUE ALIAS MD AJIJUL HOQUE AND 2 ORS.
S/O. SAMSUL HOQUE, R/O. VILL. PANIZANI PT. I P.O. BHUMKA, P.S.-
GOSSAIGAON DISTRICT - KOKRAJHAR, ASSAM

2: MENA KHATUN
W/O. AZIZUL HOQUE
R/O. VILL. PANIZANI PT. I P.O. BHUMKA
P.S.- GOSSAIGAON DISTRICT - KOKRAJHAR
ASSAM

3: AMINUL HOQUE
S/O. AZIZUL HOQUE
R/O. VILL. PANIZANI PT. I P.O. BHUMKA
P.S.- GOSSAIGAON DISTRICT - KOKRAJHAR
ASSA

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY PUBLIC PROSECUTOR, ASSAN

2:MD ANSER ALI SK
S/O. MUJAFFAR ALI VILLAGE NO.1 KURSHAKATI
P/O. KAMALSHING
P/S.GOSSAIGAON DIST. KOKRAJHAR
BTC ASSAM PIN. 78333

Advocate for the Petitioner : , MR. M A MONDAL,MR. N UDDIN

Advocate for the Respondent : PP, ASSAM, MS. T PORASOR(AMICUS CURIAE, R2)

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 24.03.2026

Heard Mr. N Uddin, the learned counsel appearing for the petitioners. Also heard Mr. D P Goswami, the learned Additional Public Prosecutor appearing for the State of Assam as well as Ms. T Porasor, the learned Amicus Curiae appearing for the respondent No.2.

2. This is an application under Section 482 of the BNSS, 2023 praying for grant of pre-arrest bail to the petitioners, namely, **1, Ajijul Hoque @ Md. Ajijul Hoque, 2. Amena Khatun** and **3. Aminul Hoque** in respect of **Gossaigaon P.S. Case No. 191/2025**.

3. The petitioner No.3 **Aminul Hoque**, who is below 18 years of age, was having a love affair with a 14 years old girl. They had physical relationship also on multiple occasions. On one occasion the girl was taken to his house, where he took some obscene photographs of her. It is alleged in the FIR that the petitioner No. 3 **Aminul Hoque** had even uploaded those photographs in social media.

4. I have considered the submission made by the learned counsel of both sides.

5. The story relates to Aminul Hoque and a minor girl. It may be stated that Aminul Hoque himself is a minor boy.

6. Considering the aforesaid fact, this Court is of the opinion that the petitioner No. 3 **Aminul Hoque** does not deserve to be detained in custody for the allegation brought against him. Therefore, his prayer for pre-arrest bail is allowed.

7. It is hereby directed that in the event of arrest in connection with **Gossaigaon P.S. Case No. 191/2025**, the petitioner **Aminul Hoque** shall be released on bail of **₹25,000/- (Rupees Twenty Five Thousand)** with a surety of like amount to the satisfaction of the arresting authority.

8. So far the prayer of the petitioner Nos. 1, Ajijul Hoque @ Md. Ajijul Hoque and petitioner No. 2 Amena Khatun are concerned, they are parents of Aminul Hoque. In the FIR, there are no allegation against them. Therefore, they do not deserve to be detained in custody. Therefore, their prayer for pre-arrest bail is allowed.

9. It is hereby directed that in the event of their arrest in connection with **Gossaigaon**

P.S. Case No. 191/2025, the petitioner Nos. **1, Ajijul Hoque @ Md. Ajijul Hoque** and petitioner No. 2 **Amena Khatun** shall be released on bail of ₹**25,000/- (Rupees Twenty Five Thousand)** each with sureties of like amount to the satisfaction of the arresting authority.

With the aforesaid direction, the bail application is disposed of.

The CD shall be returned.

JUDGE

Comparing Assistant