

GAHC010006092026



2026:GAU-AS:2010

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

Case No. : AB/112/2026

MOHIDUL ISLAM ALIAS DULU
S/O MAINUDDIN SHEIKH, R/O VILL. SAIPARA MONANDUBI, P.O. AND P.S.
KRISHNAI, DIST GOALPARA, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM.

Advocate for the Petitioner : MR N J DAS,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 12-02-2026

Heard Mr. M. Haque, the learned counsel for the petitioner. Also heard Ms. A. Begum, the learned Additional Public Prosecutor appearing on behalf of State respondent.

2. This is an application u/s 482 of Bharatiya Nagarik Suraksha Sanhita

(BNSS), 2023 for granting pre-arrest bail to the accused petitioner in connection with Manja P.S. Case No. 01/2024 u/s 120(B)/489A/489B/489C/34 of Indian Penal Code.

3. Case Diary received. Perused the same.

4. It is submitted by Mr. Haque, the learned counsel for the petitioner that he is innocent and he is no way involved in the alleged offence. It is fact that he knew one Ismail from whom he borrowed about Rs. 6,50,000/- as a loan and when he tried to repay the same, the said Ismail asked him to make repayment in the account of one Rashidul and accordingly he paid around Rs. 30,000/- in the bank account of co-accused Rashidul. That apart he is no way connected in the alleged offence. No recovery was also made from the possession of the present petitioner nor he know Rashidul and Bikash Gogoi the co-accused persons personally. However, his is ready and willing to extend his cooperation in the further investigation of the case, if he is provided with the privilege of pre-arrest bail.

5. Ms. Begum, the learned Add. PP submitted in this regard that it is the co-accused Bikash Gogoi and Rashidul from whom the amount is recovered and from the materials available in the Case Diary it is also seen that they were supposed to deliver fake currency from one Masum who hails from Manipur. She further submitted that except in one statement made by the co-accused there are no other materials in the Case Diary against the present petitioner. However, some bank transactions have already been collected by the I/O during the investigation of this case. According, Ms. Begum raised objection in allowing the bail petition at this stage.

6. Considering the submissions made by learned counsel for both sides and on perusal of the Case Diary, especially the statement made by the co-accused as well as the witnesses and other aspects of this case, I find that custodial interrogation of the present petitioner may not be necessary for the purpose of investigation. However, his presence may be required for the police station for further investigation of this case and hence the present accused/petitioner is directed to appear fortnightly before the police station even after recording his statement, if it is required for the purpose of investigation.

7. In view of this the present anticipatory bail prayer is hereby allowed.

8. Accordingly, it is provided that in the event of arrest of the accused/petitioner namely, **Mohidul Islam @ Dulu**, in connection with Manja P.S. Case No. 01/2024 u/s 120(B)/489A/489B/489C/34 of Indian Penal Code, he shall be enlarged on interim pre-arrest bail on her executing a bond of Rs. 20,000/- (Rupees twenty thousand) only with one surety of like amount to the satisfaction of the arresting authority, subject to the following conditions:

- (i) that the petitioner shall make himself available for interrogation by the Investigating Officer every fortnight;
- (ii) that the petitioner shall fully co-operate with the investigation of the case and shall appear before the Investigating Officer as and when required in connection with the investigation of the aforesaid P.S. case; and
- (iii) that the petitioner shall not, directly or indirectly, make any inducement, threaten or promise to any person acquainted with the

facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

- 9.** In terms of above, the present anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant