

GAHC010007842026



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

Case No. : AB/118/2026

REZAUL ISLAM
S/O SHAFIUL ISLAM ALIAS SOFIUL ISLAM, R/O BHOWRAGURI, PS
GOSSAIGAON, DIST KOKRAJHAR, ASSAM, PIN 783336

VERSUS

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

Advocate for the Petitioner : MR A W AMAN, A MISHRA, MD A RAHMAN, MR SARFRAZ
NAWAZ

Advocate for the Respondent : PP, ASSAM,

B E F O R E
HON'BLE MR. JUSTICE SANJEEV KUMAR SHARMA
ORDER

22.01.2026

Heard Mr. Sarfraz Nawaz, learned counsel for the petitioner. Also heard Mr.
P Borthakur, learned Addl. Public Prosecutor for the State of Assam.

2. This application under **Section 482 of BNSS, 2023** has been filed by

the petitioner, namely, **Rezaul Islam**, seeking anticipatory bail in connection with **Chapar P.S Case No. 182/2025 registered under Sections 61(2)/318(4)/309(6)/109/118(2)/127(2) of BNS, 2023.**

3. The allegation against the petitioner is that about 15 days ago, the above-mentioned accused No. 2, by seductive temptation, induced the complainant's son, Latif Ali (25 years), that if he paid Rs. two lakhs to accused No. 1, then they would return double the money immediately. Accordingly, on 04.12.2025 at about 4:00 p.m., the complainant's son, with cash of Rs. two lakhs, along with his friends, namely, (i) Abdul Majid, (ii) Firdus Ali and (iii) Mithu, went to the house of accused No. 1 with accused No. 2. When the complainant's son along with his friends reached the house of accused No. 1, both the accused Nos. 1 and 2, by conspiring in a deliberate manner, forcefully took away the cash of Rs. two lakhs. Moreover, both the accused assaulted the complainant's son and his friends with sharp weapons, causing injuries on different parts of their bodies with the intention to kill them. Seeing the intention of both the accused, the complainant's son's friends, namely, Firdus Ali and Mithu, fled away from the spot in fear of their lives. Thereafter, the accused persons wrongfully confined the complainant's son and Abdul Majid in the house of the accused and falsely informed the Chapar Police Station that the complainant's son, along with his friends, had gone to the house of accused No.

1 to demand money. Later, when the Chapar Police arrived at the place of occurrence and were taking the complainant's son and Firdus Ali with them, the accused persons falsely alleged that they had found a pistol without a magazine and pointed it out to the police to mislead them. They also handed over the Bolero vehicle bearing registration No. AS-16-M-9619, which was being used by the complainant's son, to the police. It is further mentioned that later they came to know that the accused persons, acting together, had earlier also deceived various people in a similar manner by luring them into their house on some pretext, taking money from them and misappropriating the same.

4. It is submitted on behalf of the petitioner that the present FIR is a counter-blast to an FIR lodged against the son of the informant of the present case in relation to an earlier incident, wherein it was alleged that the son of the present informant, along with other persons, had gone to the house of the informant of the said case and demanded money and, on hue and cry being raised, local people arrived and caught hold of the son of the informant and handed him over to the police. It is further submitted that the present FIR has been lodged five days after the aforesaid incident, which clearly shows that the allegations made herein are false and are by way of a defence to the allegations contained in the first FIR.

- 5.** Call for the case diary.
- 6.** Having perused the FIR, it is provided in the interim that in the event of arrest in connection with the above-noted case, the petitioner, namely, Rezaul Islam, shall be allowed to go on bail of Rs. 50,000/- (Rupees Fifty Thousand) only, with one surety of the like amount, subject to the satisfaction of the arresting authority.
- 7.** It is further provided that the petitioner shall appear before the I.O. within a period of 10 days from today and shall cooperate with the investigation.
- 8.** List the matter again on 25.02.2026.

JUDGE

Comparing Assistant