

GAHC010009372026



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

Case No. : AB/121/2026

OHIDUL ISLAM AND 2 ORS.
S/O-SURUT ALI

2: ROFIQUL ISLAM
S/O-SURUT ALI

3: SAHERA KHATUN ALIAS KHATUN
W/O RAFIQUUL ISLAM
ALL ARE VILL-BOALKAMURI PART-I P.O-BOALKAMURI P.S-BILASIPARA
DIST-DHUBRI
ASSAM
PIN-78334

VERSUS

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

2: ANJUMA BEGUM
W/O- ALI AKBAR VILL-JAMDUAR PART-II P.O-TILAPARA P.S-BILASIPARA
DIST-DHUBRI
ASSAM. PIN-78334

Advocate for the Petitioner : MR. M HUSSAIN, MR. R I MONDAL

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR**

ORDER

Date : 22-01-2026

Heard Mr. M. Hussain, learned counsel for the petitioners. Also heard Mr. K. K. Parasar, learned Addl. PP for the State of Assam.

The FIR lodged on 08.01.2026 alleges an incident of about 4 years ago stating that when the informant was a minor, the petitioners had committed acts which would be punishable under the POCSO Act. The accused no. 1 is a student who is now aged about 22 years, and the accused nos. 2 and 3 are Government servants. There is a delay of about 4 years in lodging the complaint.

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In the interim, it is provided that the petitioner nos. 1, 2 and 3 shall appear before the Investigating Officer on or before 28.01.2026.

In the event of their arrest, they shall be released on bail on furnishing a bond of Rs. 30,000/- each with two sureties of the like amount to the satisfaction of the Arresting Authority. The privilege of the pre-arrest bail shall also be subject to the following conditions:

- (i) They will not leave the jurisdiction of the I.O. without prior permission.

- (ii) They will not interact in any manner with the informant or her family.
- (iii) They will cooperate with the investigation.

Issue notice to the respondent no. 2 under the prevalent notification.

It is made clear that only on the fact that the petitioner No 1 is a student who is stated to be appearing for his examination and that the petitioner nos. 2 and 3 are Government servants and the delay in the lodging of the FIR has urged this Court to grant the privilege of interim pre-arrest bail.

The respondent no. 2 shall be at liberty to pray for cancellation of the bail on her appearance before this Court.

List again on 09.02.2026.

JUDGE

Comparing Assistant