

GAHC010014752026



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

Case No. : AB/192/2026

ABU HASSAN AND ANR
SON OF- LATE HAZRAT ALI MIAH @ HAZRAT SK, PERMANENT RESIDENT
OF VILLAGE- MOHURIRCHAR, P.S.- SOUTH SALMARA, DISTRICT-
DHUBRI, ASSAM. PRESENT ADDRESS- JHAGRARPAT PT-2, DHUBRI,
ASSAM.

2: ABDUL GOFUR MOLLAH

SON OF- LATE BELLAL HUSSAIN MOLLAH

RESIDENT OF - VILLAGE- KOREYA PT-I
P.O.- JOGIGHOPA
DISTRICT- BONGAIGAON
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP ASSAM

Advocate for the Petitioner : MR. T SK, MS M MALIK, MR R KARIM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 30.01.2026

Heard Mr. T. SK, learned counsel for the petitioners. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State.

2. This petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, whereby the petitioners, namely, **Abu Hassan and Abdul Gofur Mollah**, have prayed for granting pre-arrest bail, apprehending arrest in connection with Gauripur P.S. Case No. 530/2025 under Section 64/62/75(2)/76/3(5) of BNS, 2023.

3. It is submitted by the learned counsel for the petitioners that the petitioners stated to be relatives of the informant/victim woman who lodged the FIR on 17.12.2025.

4. The gist of the allegation that on the night on 24.10.2025, the petitioners came to her house and tried to rape her; threatened her; tore her cloths; touched her chest and private parts and also pushed her.

5. It is also submitted by the learned counsel for the petitioners that in the backdrop of land dispute between the parties, the present FIR has been lodged against the petitioners. It is submitted that the FIR has been lodged after 58 days of the alleged incident. It is submitted that after registration of the case, the property dispute between the parties was settled and the informant sworn an affidavit on 25.01.2026 stating that the dispute has been settled and that, she lodged the case out of misunderstanding and she has no objection if the I/O submits FR in the case.

6. Call for the case diary.

7. However, in the interim, in the event of arrest of the accused-petitioners, they shall be released on **interim bail** in connection with Gauripur P.S. Case No. 530/2025 under Section 64/62/75(2)/76/3(5) of BNS, 2023, on furnishing bail bond of **Rs.20,000/- each** with one suitable surety **each** of the like amount to the satisfaction of the arresting authority.

8. The direction for bail is further subject to the condition(s) that the

accused-petitioners:

- (a) shall co-operate with the investigation and appear before the I/O, making themselves available for examination;
 - (b) shall not hamper or tamper with evidence; and
 - (c) shall submit the copy of the said affidavit before the I/O for verification.
9. Violation or breach of condition(s) shall entail cancellation of the bail.
10. List on 26.02.2026 for production of case diary.

JUDGE

Comparing Assistant