

GAHC010014752026



2026:GAU-AS:2985

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
HON'BLE MRS. JUSTICE MITALI THAKURIA

O R D E R

Date : 26.02.2026.

Heard Mr. R. Karim, the learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Addl. P.P., Assam appearing on behalf of the State respondent.

This is an application under Section 482 of BNSS, 2023 praying for grant of pre-arrest bail to the accused/petitioners, namely, Abu Hassan and Abdul Goful Mollah who are apprehending arrest in connection with the Gauripur P.S. Case No. 530/2025, registered under Sections 64/62/75(2)/76/3(5) of the BNS, 2023.

It is submitted by Mr. Karim, learned counsel for the petitioners that the present accused petitioners, after obtaining the order of interim pre-arrest bail dated 30.01.2026 had already appeared before the I.O. and co-operated with the investigation of this case. Further he submitted that after filing of the FIR and during the pendency of investigation, the matter has already been settled and the victim also sworn an affidavit to that regard stating that due to some misunderstanding only, the case was lodged by her.

Mr. Sarma, the learned Addl. P.P., Assam submitted in this regard that the copy of agreement is available in the case diary and the petitioners are also appeared before the I.O. and cooperated in the investigation of this case.

In view of the submissions made by the learned counsels for both sides and also considering the materials available in the case diary, I find that custodial interrogation of the accused petitioners may not be required for the purpose of investigation.

In view of this, I find it a fit case to extend the privilege of pre-arrest bail to the accused petitioners and accordingly, the order of interim pre-arrest bail dated 30.01.2026 is hereby made absolute with same terms and conditions.

This bail petition stands disposed of accordingly.

JUDGE

Comparing Assistant