

GAHC010018022026



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

Case No. : AB/229/2026

MOHAR ALI
S/O. LATE ABUL HUSSAIN, RESIDENT OF VILL. BASHBARI PART-I, P.S.
MANIKPUR, DIST. BONGAIGAON, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. M KHAN, MS J AKTAR
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

06.02.2026

1. Heard Mr. M. Khan, learned counsel for the petitioner. Also heard Mr. D. P. Goswami, learned Additional Public Prosecutor.
2. This petition under Section 482 BNSS is filed by the petitioner, namely, **Mohar Ali**, apprehending arrest in connection with **Manikpur P.S. Case No. 04/2026** registered u/s **331(4)/64 BNS, 2023**.
3. The gist of allegation in the ejahar dated 18.01.2026 is that on

10.01.2026 taking advantage of absence of the informant's husband, the petitioner entered into the house of the informant and committed rape on her. At that time her children were sleeping in another room and upon hue and cry, neighboring people came and the accused fled away.

4. Learned counsel for the petitioner drawing attention to paragraphs 4 and 5 submits that the families are next door neighbours and there were some disputes going on between them and the FIR was filed on revenge. It is also submitted that the elder son of the victim is aged about 19 years and the FIR has been lodged after 8 days of the incident.

5. Call for the case diary.

6. I am of the view that at this stage, the accused petitioner should be given an opportunity to get his statement recorded before the police.

7. Accordingly, the petitioner named above, shall be released on interim pre-arrest bail, in connection with the above noted case, on furnishing bail bond of **Rs. 20,000/-** with one surety of like amount to the satisfaction of the arresting authority, subject, of course, to the following conditions:

(a) shall co-operate with the investigation and make himself available for examination;

(b) shall not hamper or tamper with the evidence of the case.

8. List the matter 27.02.2026.

JUDGE

Comparing Assistant