

GAHC010145562026



AS:10640-DB

2026:GAU-

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

Case No. : I.A.(Civil)/2346/2026

FAZRUL HOQUE
SO LT DEWAS SHEIKH, RO VILL BELGURI PART II, PO BELGURI, PS
AGOMONI, DIST DHUBRI, ASSAM, PIN 783334

VERSUS

THE UNION OF INDIA and ORS
REPRESENTED BY THE MINISTRY OF HOME AFFAIRS, NEW DELHI 110001

2:THE STATE OF ASSAM
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM
DISPUR
GHY 06

3:THE COMMISSIONER AND SECRETARY
GOVT OF ASSAM
HOME DEPARTMENT
DISPUR
GHY 06

4:THE DISTRICT COMMISSIONER
CHARAIDEU

5:THE SUPERINTENDENT OF POLICE BORDER
CHARAIDEU

6:THE ELECTION COMMISSION OF INDIA
NEW DELHI 11000

Advocate for the Petitioner : MD. S ISLAM, MR. M DEKA, MISS. M DAS

Advocate for the Respondent : SC, F.T, GA, ASSAM,SC, NRC,SC, ECI,DY.S.G.I.

Linked Case : I.A.(Civil)/298/2026

FAZRUL HOQUE
S/O LT. DEWAN SHEIKH
R/O BELGURI PART II
P.O BELGURI
P.S AGOMONI
DISTRICT DHUBRI
ASSAM.

VERSUS

UNION OF INDIA
REPRESENTED BY MINISTRY OF HOME AFFAIRS
NEW DELHI 01.

2:STATE OF ASSAM

REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
DISPUR
GUWAHATI.

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

HOME DEPARTMENT
DISPUR
GUWAHATI.

4:DISTRICT COMMISSIONER

JORHAT

5:SUPERINTENDENT OF POLICE (BORDER)

JORHAT

6:THE ELECTION COMMISSION OF INDIA

NEW DELHI- 110001.

7:THE STATE COORDINATOR NATIONAL REGISTER OF CITIZEN(NRC)

BANGAGARH
GUWAHATI- 781005

Advocate for : MR. D P CHALIHA
Advocate for : DY.S.G.I. appearing for UNION OF INDIA

Linked Case : WP(C)/7279/2025

FAZRUL HOQUE
S/O LT. DEWAN SHEIKH
R/O BELGURI PART II
P.O BELGURI
P.S AGOMONI
DISTRICT DHUBRI
ASSAM.

VERSUS

UNION OF INDIA AND 6 ORS.
REPRESENTED BY MINISTRY OF HOME AFFAIRS
NEW DELHI 01.

2:STATE OF ASSAM

REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
DISPUR
GUWAHATI.

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

HOME DEPARTMENT
DISPUR
GUWAHATI.

4:DISTRICT COMMISSIONER

CHARAIDEU.

5:SUPERINTENDENT OF POLICE (BORDER)

CHARAIDEU.

6:THE ELECTION COMMISSION OF INDIA

NEW DELHI- 110001.

7:THE STATE COORDINATOR NATIONAL REGISTER OF CITIZEN(NRC)

BANGAGARH
GUWAHATI- 781005

Advocate for : MR. D P CHALIHA
Advocate for : DY.S.G.I. appearing for UNION OF INDIA AND 6 ORS.

Linked Case : I.A.(Civil)/520/2026

FAZRUL HAQUE
SON OF DEWAN SHEIKH R/O BELGURI PART II PO BELGURI PS AGOMONI
DISTRICT DHRUBRI ASSAM 783334

VERSUS

THE UNION OF INDIA
REPRESENTED BY MINISTRY OF HOME AFFAIRS NEW DELHI

2:STATE OF ASSAM

REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
DISPUR
GUWAHATI.

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM

HOME DEPARTMENT
DISPUR
GUWAHATI.

4:DISTRICT COMMISSIONER

CHARAIDEU

5:SUPERINTENDENT OF POLICE (BORDER)

CHARAIDEU

6:THE ELECTION COMMISSION OF INDIA

NEW DELHI- 110001.

7:THE STATE COORDINATOR NATIONAL REGISTER OF CITIZEN(NRC)

BANGAGARH
GUWAHATI- 781005

Advocate for : MR. D P CHALIHA

Advocate for : DY.S.G.I. appearing for THE UNION OF INDIA

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

31.07.2026

(K.R. Surana, J)

Heard Md. S. Islam, learned counsel for the applicant. Also heard Mr. P. Lhamu, learned Advocate on behalf of Mr. B. Kaushik, learned CGC, Ms. M. Singha on behalf of Mr. S. Katakey, learned Standing Counsel, ECI, Mr. G. Sharma, learned standing counsel for the FT matters and NRC; and Mr. P. Sarmah, learned Additional Sr. Govt. Advocate for respondents.

2. By filing this interlocutory application, the applicant, namely, Fazrul Hoque, who is the petitioner in WP(C) No.7279/2025 has prayed for extension for time to take bail in terms of order dated 13.05.2026, passed in WP(C) No.7279/2025.

3. This Court, by order dated 13.03.2026, allowed 10 (ten) days time to the petitioner to bail of Rs.5,000/- (Rupees five thousand only) with one solvent surety of the like amount to the satisfaction of the Superintendent of Police (Border), Charaideo, Assam. However, the applicant projects that he appeared before the Superintendent of Police (Border), Charaideo, Assam on 18.03.2026 but no receipt of any appearance was given.

4. This Court by order dated 27.07.2026 had directed the learned Standing Counsel, FT and Border matters to obtain instructions regarding the correctness of the statement made in paragraph 4 of the application.

5. The learned Standing Counsel, FT and Border matters has submitted that the applicant did not appear within the 10(ten) days time granted by this Court, but started appearing only after expiry of 10(ten) days. Hence, the benefit of the bail order could not be accepted.

6. Be that as it may, upon consideration of the prayer made by the applicant, the prayer made in this interlocutory application stands allowed by extending the time to avail the bail by a further 10 (ten) days from the date of this order.

7. Accordingly, it is provided that, in the event the applicant appears before the Superintendent of Police (Border), Charaideo, Assam, the said authority shall accept the same in terms of the order dated 13.03.2026, WP(C) No.7279/2025.

8. It is clarified that, in terms of the directions contained in the order dated 13.05.2026, passed in WP(C) No.7279/2025, the said bail shall continue till the completion of the proceedings before the learned Foreigners Tribunal, Jorhat.

9. Accordingly, this interlocutory application stands disposed of, on conditions as indicated above.

JUDGE

JUDGE

Comparing Assistant