

GAHC010032882026



2026:GAU-AS:3922

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

Case No. : AB/355/2026

SADDAM HUSSAIN ALIAS SADDAM HUSSAIN RAHMAN
S/O ROFIQUL ISLAM, R/O VILL - DEOBARI, P.O. - KIRTANPARA, P.S. -
ABHAYAPURI, DIST - BONGAIGAON, ASSAM -783384
VERSUS
THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : S K PODDAR, R MANDAL, MR. R GHOSH, MS. N PODDAR, MR. C SHARMA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 18.03.2026

- 1.** Heard Mr. S. K. Poddar, learned Counsel for the petitioner. Also heard Mr. Bhaskar Sharma, learned Additional Public Prosecutor for the State of Assam.
- 2.** This is an application filed under Section 482 of the Bharatiya Nagarik

Suraksha Sanhita, 2023, in respect of Abhaypuri P.S. Case No.02/2026, under Section 64(1)/89/351/3(5) of the BNS.

3. The informant woman is 24 years old, she is married having child. She was also pregnant.

4. On 20.12.2025, she went to the customer service point of the Bank which was operated by the present petitioner. They had talks on different issues. In the evening she felt unwell, she sent her son home with one Mizanur Rahman and she was taken by the present petitioner to an unknown house and committed rape upon her and also gave her contraceptive tablets as a result of which miscarriage took place.

5. I have considered the submissions made by learned counsel for the both sides in the light of the statement of the victim recorded under Section 183 of the BNSS, 2023.

6. This Court is of the opinion that under the given circumstances, the petitioner does not deserve to be detained in custody.

7. Therefore, this pre-arrest bail application of the petitioner is allowed.

8. It is here by directed that in the event of arrest in connecting with Abhaypuri P.S. Case No.02/2026, the petitioner Saddam Hussain @ Saddam Hussain Rahman shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the learned Arresting Authority.

9. With the aforesaid direction, this pre-arrest bail application stands disposed of.

10. The Case Diary shall be returned.

JUDGE

Comparing Assistant