

GAHC010046832026



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

Case No. : AB/499/2026

ABDUL KADDUS
S/O NUR ISLAM
R/O UTTAR KHATOWAL,
P.O. UTTAR KAHTOWAL,P.S. RUPAHI, DIST. NAGAON, ASSAM, PIN-782124,
MOB. NO. 8099081903.

VERSUS

THE STATE OF ASSAM AND ANR
REP BY THE PP, ASSAM

2:XXXXX
D/O HABELUDDIN
R/O KOROIBIL
P.S. CHAYGAON
DIST. KAMRUP
ASSAM, PIN-781135
MOB. 690198559

Advocate for the Petitioner : MR A K AHMED, MS P KAKATI

Advocate for the Respondent : PP, ASSAM, R KHA(R2),MS. P AHMED(R2),MR. M A I
HUSSAIN(R2)

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 24.03.2026

Heard Mr. A K Ahmed, learned counsel appearing for the petitioners. Also heard Mr.

Bhaskar Sarma, learned Additional Public Prosecutor appearing for the State of Assam as well as Mr. M A I Hussain, the learned Amicus Curiae appearing for the respondent No.2.

2. This is an application under Section 482 of the BNSS, 2023 praying for grant of pre-arrest bail to the petitioner, namely, **Abdul Kaddus** in respect of **Chaygaon P.S. Case No. 321/2025**.

3. The petitioner forcibly took away the victim girl on 16.10.2025. He even forcibly married her. After that, they kept moving to different places. He continued to have physical relationship with her on multiple occasions. Ultimately, on 28.10.2025, he abandoned the girl before the Rupahi Police Station.

4. Mr. Hussain has submitted that the victim had already married the petitioner and now the couple has been living peacefully.

5. Mr. Sarma has pointed out that the victim girl has implicated the petitioner in her statements recorded under Section 183 of the BNS, 2023.

6. I have considered the submission made by the learned counsel of both sides.

7. Therefore, at this stage, this Court is of the opinion that the petitioner does not deserve to be detained in custody.

8. Therefore, the prayer for pre-arrest bail is allowed.

9. It is hereby directed that in the event of arrest in connection with **Chaygaon P.S. Case No. 321/2025**, the petitioner **Abdul Kaddus** shall be released on bail of ₹**25,000/-** (**Rupees Twenty Five Thousand**) with a surety of like amount to the satisfaction of the arresting authority. He shall co-operate with the Investigating Officer as and when called for.

With the aforesaid direction, the bail application is disposed of.

The CD shall be returned.

JUDGE

Comparing Assistant