

GAHC010049512026



undefined

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

**Case No. : WP(C)/1480/2026**

ABDUS SOBHAN ALI @ MD. ABDUS SOBHAN ALI @ MD. ABDUL  
CHOUHAN ALI  
S/O LT. BHEDU SK, VILL- DHARMASALA PT-IV, P.O. AND P.S.- DHUBRI,  
DIST- DHUBRI, ASSAM

VERSUS

THE UNION OF INDIA AND 5 ORS  
TO BE REPRESENTED BY THE SECRETARY, GOVERNMENT OF INDIA,  
DEPARTMENT OF HOME AFFAIRS, NEW DELHI, INDIA

2:THE STATE OF ASSAM  
TO BE REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF  
ASSAM  
DEPARTMENT OF HOME  
DISPUR  
GUWAHATI-6

3:THE SUPERINTENDENT OF POLICE (B)  
DHUBRI  
ASSAM

4:THE DISTRICT COMMISSIONER  
DHUBRI  
ASSAM

5:THE ELECTION COMMISSION OF INDIA  
TO BE REPRESENTED BY THE CHIEF ELECTION COMMISSION OF INDIA  
NIRVACHAN SADAN  
ASHOKA ROAD  
NEW DELHI  
INDIA

6:THE NATIONAL REGISTER OF CITIZEN  
TO BE REPRESENTED BY THE STATE CO-ORDINATOR  
ACHYUT PLAZA  
BHANGAGARH  
KAMRUP (M)  
ASSA

**Advocate for the Petitioner** : MR. A Z AHMED, MR. A KHALEK

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

**BEFORE**  
**HONOURABLE MR. JUSTICE KALYAN RAI SURANA**  
**HONOURABLE MRS. JUSTICE SHAMIMA JAHAN**

**ORDER**

**Date : 24.06.2026**  
(K.R. Surana, J)

Heard Mr. A.Z. Ahmed, learned counsel for the petitioner. Also heard Mr. M.R. Adhikari, learned CGC, Mr. P. Sarmah, learned Government Advocate, Mr. J. Payeng, learned Standing Counsel for F.T. and N.R.C. and Ms. S. Katakey, learned Standing Counsel, E.C.I. for the respondents

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 29.10.2025, passed by the learned Member, Foreigner's Tribunal No.1 Dhubri (Assam) in F.T. Case No. 2873/D/11, arising out of (Police Ref. IM(D)T Case No. 678/03), by which the petitioner was declared as an illegal migrant of post 1971.

3. Issue notice returnable on 10.08.2026.
4. Requisite extra copies of the writ petition be furnished to the learned counsel for the respondents in course of the day.
5. Let the relevant records be called for from the concerned Foreigners Tribunal.
6. The prayer for bail is opposed by the learned Standing Counsel for the FT matters. Considering the projection made in this writ petition, the Court is inclined to grant bail to the petitioner, namely, Abdus Sobhan Ali @ Md. Abdus Sobhan Ali @ Md. Abdul Chouhan Ali, by providing that if he has not already been detained in custody, he shall not be taken into custody/or and deported from the territory of India, on condition that he shall appear before the Superintendent of Police (Border), Dhubri within 10 (ten) days from today during the office hours and shall furnish a bail bond of Rs.5,000/- (Rupees Five thousand only) with one solvent surety of the like amount to the satisfaction of the said authority. Further, the Superintendent of Police (Border), Dhubri is directed that on appearance of the petitioner within the period indicated above, the biometrics of the iris of both eyes, the fingerprints of both hands and the photographs of the petitioner shall be obtained, whereafter, he shall be allowed to remain on bail.
7. On his appearance before the Superintendent of Police (Border), Dhubri, as directed above, the said authority shall obtain necessary information and documentation as required under the Rules from the petitioner for securing his presence.
8. On failure of the petitioner to appear before the Superintendent of Police (Border), Dhubri, the bail to the petitioner would stand lapsed.

9. List the matter on 10.08.2026.

**JUDGE**

**JUDGE**

**Comparing Assistant**