

GAHC010068482026



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

Case No. : Bail Appln./956/2026

SAIFUL ISLAM AND 2 ORS
SON OF ABDUL HAI
RESIDENT OF VILL- GERUATI, P.O. GERUATI, P.S. KHATOWAL, DIST.
NAGAON, ASSAM.

2: NURUL ISLAM @ NAJRUL ISLAM
SON OF KASEM ALI RESIDENT OF VILL- GERUAMUKH P.O. GERUATI
BAZAR
PO.S. KHATOWAL

DIST. NAGAON
ASSAM.

3: DHRUBAJYOTI HAZARIKA
SON OF BONGSHI HAZARIKA
RESIDENT OF VILL- HAAHSORA SENCHOWAGAON
P.O. TEOK
P.S. TEOK
DIST. JORHAT
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A M BORA, P MAZUMDAR, MR. D K BAIDYA, MR. D GAGAI

Advocate for the Respondent : PP, ASSAM,

Linked Case : AB/705/2026

OSMAN ALI AND 10 ORS
S/O LATE ABDUL RAHIM SARKAR @ LASKAR AND RESIDENT OF VILL-
BAJIAGAON
P.O. BAJIAGAON
P.S. SAMAGURI
DIST. NAGAON
ASSAM.

2: MAHIDUL ISLAM
SON OF NURUL ISLAM @ HOQUE AND RESIDENT OF VILL- GERUAMUKH
P.O. GERUAATI BAZAR AND P.S. KHATOWAL
DIST. NAGAON
ASSAM.

3: MAJIBUR RAHMAN
SON OF KUDDUSH ALI AND RESIDENT OF VILL- GERUAMUKH
P.O. GERAATI BAZAR
AND P.S. KHATOWAL
DIST. NAGAON
ASSAM.

4: RAITUL ISLAM
SON OF MAIN UDDIN AND RESIDENT OF VILL- GERUAMUKH P.O.
GERUAATI BAZAR
P.S. KHATOWAL
DIST.NAGAON
ASSAM.

5: NEKIBUR RAHMAN @ FARIDUL ISLAM
SON OF UMAR ALI
RESIDENT OF VILL- GERUAMUKH P.O. GERUAATI BAZAR
P.S. KHATOWAL
DIST.NAGAON
ASSAM.

6: ABADUL HOQUE @ EBADUL ISLAM
SON OF JAFAR ALI
RESIDENT OF VILL- GERUAMUKH P.O. GERUAATI BAZAR
P.S. KHATOWAL
DIST.NAGAON
ASSAM.

7: MUSARAF ALI @ MUSHAROF HUSSAIN

SON OF ABDUL SIDDIQUE @ SIDDIQUE ALI
RESIDENT OF VILL- GERUAMUKH P.O. GERUAATI BAZAR
P.S. KHATOWAL
DIST.NAGAON
ASSAM.

8: MUBARAK ALI
SON OF SIDDIQUE ALI
RESIDENT OF VILL- GERUAMUKH P.O. GERUAATI BAZAR
P.S. KHATOWAL
DIST.NAGAON
ASSAM.

9: DILDAR HUSSAIN
SON OF KASHEM ALI @ BAKUL ALI RESIDENT OF VILL- GERUAMUKH P.O.
GERUAATI BAZAR
P.S. KHATOWAL
DIST.NAGAON
ASSAM.

10: WAHED ALI
SON OF ABDUL RASHID
RESIDENT OF VILL- GERUAMUKH P.O. GERUAATI BAZAR
P.S. KHATOWAL
DIST.NAGAON
ASSAM.

11: ANSARUL HOQUE
SON OF RAHMAT ALI
RESIDENT OF VILL- GERUAMUKH P.O. GERUAATI BAZAR
P.S. KHATOWAL
DIST.NAGAON
ASSAM.
VERSUS

THE STATE OF ASSAM
REP BY THE PP
ASSAM

Advocate for : MR. A M BORA
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

02.04.2026

Heard Mr. A.M. Bora, the learned senior counsel assisted by Mr. D.K. Baidya, the learned counsel representing the petitioners as well as Mr. Bhaskar Sharma, the learned Addl. Public Prosecutor, Assam.

2. Both the applications are under Sections 483 and 482 of the BNSS, 2023 in respect of Khatowal P.S. Case No.09/2026, registered under Sections 324/117(2)/109/3(5) of the BNS.

3. On 26.03.2026, some people were trying to paste some posters of the political party. On that issue, the informant and some other persons had a quarrel. In fact, they had a fight between themselves.

4. Mr. Sharma, the learned Addl. Public Prosecutor has objected to the bail prayers made in both the applications.

5. I have considered the submissions made by the learned counsel for both sides.

6. This Court is of the opinion that under the given circumstances, the petitioners, namely- (1) Saiful Islam, (2) Nurul Islam @ Najrul Islam and (3) Dhrubajyoti Hazarika (in Bail Application No.956/2026) do not deserve to be detained in custody for a further period of time. Their bail application is allowed.

7. Accordingly, the three petitioners, named above, shall be released on bail of ₹20,000/- with sureties of like amount to the satisfaction of the learned Chief Judicial Magistrate, Nagaon.

8. So far as the petitioners, namely- (1) Osman Ali, (2) Mahidul Islam, (3) Majibur Rahman, (4) Raitul Islam, (5) Nekibur Rahman @ Faridul Islam, (6) Abadul Hoque @ Ebadul Islam, (7) Musaraf Ali @ Musharof Hussain, (8) Mubarak Ali, (9) Dildar Hussain, (10) Wahed Ali and (11) Ansarul Hoque are concerned, it is hereby directed that under the given circumstances, they also do not deserve to be detained in custody. Their pre-arrest bail application is allowed.

9. Therefore, it is directed that in the event of arrest of the 11(eleven) petitioners, named above, they shall be allowed to go on bail of ₹20,000/- with sureties of like amount to the satisfaction of the arresting authority.

10. The petitioners shall co-operate with Police Investigating Officer, as and when called for.

With the aforesaid direction, both the bail applications are disposed of.

JUDGE

Comparing Assistant