

GAHC010101482026



undefined

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

**Case No. : AB/1099/2026**

SAFIKUL ISLAM ALIAS RAJU AND 6 ORS.  
SON OF- LATE BHAGTA JAMAL

2: SAMSUL RAHMAN  
SON OF- LATE BHAGTA JAMAL

3: JIYAYUR RAHMAN @ JIYABUR RAHMAN  
SON OF SAMSUL RAHMAN

4: JAHUR RAHMAN@ JAHUR ALI  
SON OF ASRAF ALI

5: JAMUR ALI  
S/O JAHUR ALI

6: SALMA KHATUN  
W/O SADAM HUSSAIN

7: JILAHA KHATUN  
W/O SAMSUL RAHMAN

8: MAJEDA KHATUN @ THIGI  
W/O JAHUR LAI  
ALL ARE RESIDENTS OF R/O- VILLAGE- GUWALTALI P.S.- BISWANATH  
CHARIALI DIST.- BISWANATH  
ASSA

VERSUS

STATE OF ASSAM  
REPRESENTED BY THE PROSECUTOR PUBLIC, ASSAM.

**Advocate for the Petitioner** : MR. N N JHA,

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE  
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

**ORDER**

**Date : --27.05.2026**

Heard Mr. N N Jha, the learned counsel for the petitioners. Also heard Mr. D P Goswami, the learned Additional Public Prosecutor appearing on behalf of State respondent.

**2.** This is an application u/s 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 for granting pre-arrest bail to the accused/petitioners in connection with Biswanath Chariali P.S. Case No. 77/2026 corresponding to GR Case No. 178/2026 u/s 118(2)/189(2)/191(2)/45/117(2)/109 of Bharatiya Nyaya Sanhita (BNS), 2023.

**3.** It is submitted by Mr. Jha that initially there was a quarrel took place between two children for which the entire family members of the informant side came to their house and there was an altercation and quarrel took place between the parties. In the said scuffle, some of the persons from both the parties sustained injuries. But, nothing has happened as alleged in the FIR. However, in this regard the petitioner side also lodged an FIR against the informant side, which is registered accordingly. However, the petitioners are ready and willing to extend their cooperation in further investigation of this case, if he is granted with some interim protection.

**4.** Mr. Goswami, the learned Additional Public Prosecutor raised objection and

submitted that Case Diary along with Medical Report will be necessary to know the actual fact of the case and hence raised objection in providing interim protection to the petitioners.

**5.** Hearing the submissions made by learned counsels for both sides and considering the materials in the FIR, this Court is of opinion that the accused/petitioner no. 3, namely, Jiyayur Rahman @ Jiyabur Rahman is not entertained for interim protection at this stage. However, the other petitioners nos. 1, 2, 4, 5, 6, 7 & 8 namely, Safikul Islam @ Raju, Samsul Rahman, Jahur Rahman @ Jahur Ali, Jamur Ali, Salma Khatun, Jilaha Khatun and Majeda Khatun @ thigi respectively may be provided with some interim protection, till receipt of the Case Diary.

**6.** Accordingly, it is provided that in the event of arrest of the accused/petitioner nos. 1, 2, 4, 5, 6, 7 & 8 namely, Safikul Islam @ Raju, Samsul Rahman, Jahur Rahman @ Jahur Ali, Jamur Ali, Salma Khatun, Jilaha Khatun and Majeda Khatun @ thigi respectively in connection with Biswanath Chariali P.S. Case No. 77/2026 corresponding to GR Case No. 178/2026 u/s 118(2)/189(2)/191(2)/45/117(2)/109 of Bharatiya Nyaya Sanhita (BNS), 2023, they shall be enlarged on interim pre-arrest bail on their executing a bond of Rs. 30,000/- (Rupees Thirty thousand) only each with one surety of like amount to the satisfaction of the arresting authority, subject to the following conditions:

- (i) that the petitioners shall make themselves available for interrogation by the Investigating Officer within 7(seven) days.
- (ii) that the petitioners shall fully co-operate with the investigation of the case and shall appear before the Investigating Officer as and

when required in connection with the investigation of the aforesaid P.S. case; and

- (iii) that the petitioners shall not, directly or indirectly, make any inducement, threaten or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

In the meantime, call for the Case Diary.

List the matter accordingly on **19.06.2026.**

**JUDGE**

**Comparing Assistant**