

GAHC010101782026



undefined

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

Case No. : WP(C)/2950/2026

ANOWARA BEGUM
D/O AYNAL HOQUE, W/O DUDU MIYA, R/O VILL BHOWLAGURI, P.O.- NEW
BONGAIGAON, P.S. BONGAIGAON, DIST.- BONGAIGAON, ASSAM

VERSUS

THE UNION OF INDIA AND 6 ORS
REPRESENTED BY THE SECRETARY, MINISTRY OF HOME DEPARTMENT,
NEW DELHI 1

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT
OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI 6

3:THE DEPUTY COMMISSIONER
BONGAIGAON
ASSAM

4:THE SUPERINTENDENT OF POLICE (B)
BONGAIGAON
ASSAM

5:THE ELECTION COMMISSIONER OF INDIA
REPRESENTED BY THE SECRETARY OF THE COMMISSION
H.Q.
NEW DELHI

6:THE STATE CO-ORDINATOR
NATIONAL REGISTRATION OF CITIZENS

NRC
ASSAM

7:THE OFFICER-IN-CHARGE
BONGAIGAON PS
DIST BONGAIGAON
ASSAM
PIN 78338

Advocate for the Petitioner : MISS. M DAS, MR. M DEKA,MD. S ISLAM

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

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 08.06.2026

(S. K. Medhi, J)

Heard, Sri. S. Islam, learned Counsel for the petitioner who has put to challenge an order dated 04.12.2025 passed by the learned Foreigner's Tribunal No. 1, Bongaigaon in F.T. Case No. 3232/2009 in connection with BNGN/IM(D)T Case No.566/2021, declaring the petitioner to be a foreigner/illegal migrant of post 25.03.1971 stream. It is submitted that the learned Tribunal has failed to take into consideration relevant materials resulting in the impugned opinion.

2. Let **notice** be issued, returnable on 15.07.2026.

3. Ms. M. Das, learned Counsel appearing on behalf of Sri. S.K. Medhi, learned CGC representing respondent no.1, Ms. A. Verma, learned Standing Counsel, Home Department representing respondent no. 2, 4 and 7, Ms. R.B. Bora, learned Government Advocate, Assam representing respondent no.3, Sri. A.I. Ali, learned Standing Counsel, ECI representing respondent no.5 and Sri. G. Sarma, learned Standing Counsel, NRC representing respondent no.6.

4. Extra copies of the writ petition be served upon the learned counsel for the respondents by tomorrow.
5. Call for the records of FT Case No.- 3232/2009 in connection with BNGN/IM(D)T Case No.566/2021, passed by the learned Foreigners' Tribunal No. 1, Bongaigaon. Registry to take steps for requisitioning the same.
6. The learned counsel for the petitioner has submitted that the petitioner is yet to be arrested and has accordingly prayed for bail. The said prayer is however opposed by the learned counsel for the respondents.
7. Considering the facts projected, the Court is inclined to grant bail to the petitioner, namely, **Anowara Begum**, by providing that if she has not already been detained in custody, she shall not be taken into custody and deported from the territory of India, on condition that she shall appear before the **Superintendent of Police (Border), Bongaigaon** on or before 17.06.2026 during the office hours and shall furnish a bail bond of **Rs. 10,000/-** (Rupees Ten thousand) only with one solvent surety of the like amount to the satisfaction of the said authority. Further, **Superintendent of Police (Border), Bongaigaon** 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, where after, she shall be allowed to remain on bail.
8. On his appearance before the **Superintendent of Police (Border), Bongaigaon**, as directed above, the said authority shall obtain necessary information and documentation as required under the Rules from the petitioner for securing his presence.
9. On failure of the petitioner to appear before the **Superintendent of**

Police (Border), Bongaigaon, within the stipulated time, the observations made towards grant of bail shall be inoperative.

10. List the matter again on 15.07.2026.

JUDGE

JUDGE

Comparing Assistant