

GAHC010116882026



2026:GAU-AS:10646

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

Case No. : AB/1470/2026

ABDUL FARAK ALIAS FARUK ALI
S/O MD. ABDUL SALAM,VILLAGE NO. 2 NELIPAR,P.S. KANPUR,DISTRICT
NAGAON, ASSAM.

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR P KATAKI,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI

O R D E R

03.08.2026.

Heard Mr. P. Kataki, learned counsel appearing for the accused petitioner. Also heard Mr. B. Sarma, learned Addl. P.P., Assam, appearing for the State respondent.

This is an application under Section 482 of BNSS, 2023 praying for grant of pre-arrest bail to the accused/petitioner, i.e. Abdul Faruk @ Faruk Ali, who is

apprehending arrest in connection with the Kampur Police Station Case No. 49/2026, under Sections 126(2)/115(2)/70(1) of the Bharatiya Nyaya Sanhita, 2023, arising out of the FIR lodged on 28.04.2026.

The case of the prosecution is that the accused petitioner along with his co-accused Maraf Ali had committed gang rape on her.

The case diary as called for is placed before this Court..

Mr. Sarma, the learned Addl. P.P., Assam submitted that it has clearly come out from the statement of the victim/ informant recorded under Section 183 of the BNSS, 2023, that the present accused petitioner had committed rape on her along with his co-accused.

The statement having been perused, *prima facie* indicates the involvement of the present accused petitioner in the offence alleged. It appears that the investigation is at a crucial stage.

Considering the gravity of the offence and the facts emerging out upon investigation, this is not a fit case for granting pre-arrest bail to the present accused petitioner at this stage.

Accordingly, the prayer for pre-arrest bail stands rejected.

Return back the case diary forthwith.

JUDGE

Comparing Assistant