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

Case No. : AB/1480/2026

ABDUL AZIZ
SON OF KARIM ALI, RESIDENT OF VILLAGE HALDHIA GAON, PO
GHUGUBARI, PS KALGACHIA, DISTRICT BARPETA, ASSAM, PIN 781319

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : R AMIN, S K RAHMATULLAH

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

28.07.2026

Heard Mr. R. Amin, learned counsel for the applicant and Mr. P.S. Lahkar, learned Additional Public Prosecutor for the State respondent.

2. Apprehending arrest in connection with **Kalgachia PS Case No. 54/2026**, under Sections 318(4)/316(2) of the BNS read with Section 14 of the Game and Betting Act, this application under Section 482 of the BNSS, is preferred by applicant namely, **Abdul Aziz**, for grant of pre-arrest bail.

3. It is to be noted here that the above noted case has been registered on the

basis of one FIR lodged by SI Jitul Das, on 31.05.2026.

4. Mr. Amin, learned counsel for the applicant, submits that the applicant is innocent and his name finds no mention in the FIR and since the learned Additional Public Prosecutor has failed to produce the case diary before this Court, interim protection may be granted to the applicant.

5. Per-contra, Mr. Lahkar, learned Additional Public Prosecutor for the State respondent, submits that he has not received the case diary and therefore, he prays for granting him short time.

6. Prayer of Mr. Lahkar, learned Additional Public Prosecutor for the State respondent, is allowed. Case diary be produced on 20.08.2026.

7. However, considering the nature of accusation and the punishment prescribed for the same and also the submissions of learned counsel for both the parties, in the interim, it is provided that in the event of arrest of the applicant, in connection with the **Kalgachia PS Case No. 54/2026**, he shall be enlarged on pre-arrest bail, on his executing a bond of Rs. 20,000/- only, with one surety of like amount to the satisfaction of the arresting authority.

8. The above privilege is, however, subject to the following conditions:-

- (i) that the applicant shall make himself available for interrogation by the Investigating Officer as and when directed;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat 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; and
- (iii) that the applicant shall not leave the jurisdiction of the learned **Chief Judicial Magistrate, Barpeta**, without prior permission.

9. List the matter on 20.08.2026.

Comparing Assistant

JUDGE