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

Case No. : AB/1460/2026

SULEMAN BADSHA ALIAS SOLEMAN AND 2 ORS.
SON OF ABDUL KADIR RESIDENT OF VILLAGE NO 3 GALANDIKASH
POLICE STATION KHARUPETIA DISTRICT DARRANG, ASSAM PIN 784115.

2: SHAHANUR AHMED
SON OF ABDUL KADIR RESIDENT OF VILLAGE NO. 3 GALANDIKASH
POLICE STATION KHARUPETIA DISTRICT DARRANG
ASSAM
PIN 784115.

3: NIJAMUDDIN
SON OF LATE ABDUL AJIJ RESIDENT OF VILLAGE NO 3 GALANDIKASH
POLICE STATION KHARUPETIA DISTRICT DARRANG ASSAM
PIN- 784115

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR ASSAM

Advocate for the Petitioner : MRS. H THAKURIA,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

07.08. 2026

Heard Mrs. H. Thakuria, learned counsel for the petitioners and also heard

Mr. K.K. Parasar, learned Addl. P.P for the State.

2. This is an application under Section 482 of BNSS, 2023, have been filed by the petitioners, namely, 1.Abdul Kadir, 2. Abdul Gaffar, 3. Nabi Hussain, 4. Safiul Islam @ Safiul Imran, 5. Shahnewaj Ahmed, 6. Nijamuddin, 7 Mustan Sher Billah, 8. Ibrahim Ali, 9. Abu Safiyan, 10. Suleman Badsha, 11. Musa Kali Mullah, 12. Rejaul Karim, 13. Abdul Jalil, 14. Ismail Hussain, 15, Taher Ali, 16. Badar Ali, seeking pre-arrest bail in connection with Kharupetia P.S Case No.73 /2025 under Section 329 (3)/ 329(4) /118(2)/ 109(2)/ 103(1)/3(5) of the BNS, 2023.

3. As per the FIR on 27.06.2025 at around 8 p.m., the accused person name therein attacked the informant side with deadly weapons due to quarrel arising out of land dispute and as a result grievous injuries were caused to the members of the informant side and one among them succumbed to his injury. Soon after the incident and before his death he implicated some of the petitioners as named in the FIR.

4. The learned counsel for the petitioners submits that there is long standing land dispute between the parties and the petitioner side had also lodged an FIR against the informant side of the present case which has been annexed to the instant application. Similar allegations of assault and causing of injury has been made in the said FIR lodged by the petitioner's side.

5. The earlier bail application in respect of the present petitioners as well as some other petitioners being AB/2532/2025 was disposed of vide order dated 12.11.2025 where in the prayer of the present petitioners of pre-arrest bail was rejected.

6. The learned Addl. P.P, upon perusal of the CD, submits that there is sufficient incriminating material against the present petitioners. On perusal of

the said materials their earlier pre-arrest bail application was rejected. Moreover considering the heinous nature of the offences resulting in the death of two persons this is not a fit case for grant of pre-arrest bail and moreover no new ground has been made out.

- 7.** In view of the above, the prayer for pre-arrest bail stands rejected.
- 8.** The petition stands dismissed.
- 9.** Send back the Case Diary.

JUDGE

Comparing Assistant