

GAHC010155822025



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

Case No. : AB/1713/2025

AKTAR ALI ALIAS AKTAR ALI SK AND ANR
SON OF LATE RUSHNAI ALI @ ROWSHON ALI SK.
R/O AT VILL- BARAIBARI PART-5,
P.S. FAKIRGANJ, DIST. DHUBRI, ASSAM, PIN-783339.

2: BARU SK. @ ASMOT ALI SK.
SON OF LATE RUSHNAI ALI @ ROWSHON ALI SK.
R/O AT VILL- BARAIBARI PART-5

P.S. FAKIRGANJ
DIST. DHUBRI
ASSAM
PIN-783339

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M A SHEIKH, MS F INTAZ, MR. Z H AHMED

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA
ORDER**

24.07.2025

Heard Mr. M. A. Sheikh, learned counsel for the petitioners. Also heard Ms. N. Das, learned Additional Public Prosecutor for the State respondent.

This is an application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying for grant of pre-arrest bail to the petitioners in connection with Fakirganj P. S. Case No. 73/2025, under Sections 96/3 (5) of BNS [corresponding to G. R. No. 1020/2025].

Mr. Sheikh, learned counsel for the petitioners, has submitted that the FIR has been lodged based on false and concocted allegations against the present petitioners. It is further contended that the victim has already been recovered and is currently residing with her parents. He also submitted that the petitioners are ready and willing to cooperate with the Investigating Officer in the further investigation, if granted interim protection.

In this regard, Ms. Das, learned Additional Public Prosecutor, has requested that the case diary be called for at this stage to ascertain the actual facts of the case.

Considering the submissions made by the learned counsels of both sides as well as considering the entire aspect of the case, I find it a fit case to grant the privilege of interim pre-arrest bail to the accused/petitioners, till receipt of the case diary.

Accordingly, it is provided that in the event of arrest of the

accused/petitioners, namely, **1. Aktar Ali @ Aktar Ali Sk and 2. Baru Sk @ Asmot Ali Sk**, in connection with Fakirganj P. S. Case No. 73/2025, under Sections 96/3 (5) of BNS, they shall be enlarged on interim pre-arrest bail on their executing a bond of Rs. 20,000/- (Rupees twenty 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 not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer; and
- (iii) that the petitioners shall not leave the jurisdiction of the concerned jurisdictional Magistrate, without prior permission.

In the meantime, call for the Case Diary.

List the matter again on **02.09.2025**.

JUDGE

Comparing Assistant