

GAHC010193102025



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

Case No. : AB/1747/2025

MOFIZUL HOQUE ALIAS MOFIJUL HOQUE
SON OF JOBER ALI
VILL- KACHUARKASH PT. II
P.S. DHUBRI
DIST. DHUBRI
ASSAM

VERSUS

THE STATE OF ASSAM
TO BE REP. BY THE LEARNED PP
ASSAM

Advocate for : MR SARFRAZ NAWAZ
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

**BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS**

ORDER

18.09.2025

1. Heard Mr. Surajit Das, learned counsel for the petitioner. Also heard Mr. D.P. Goswami, learned Additional Public Prosecutor for the State.

2. This application under Section 482 of BNSS, 2023 has been filed by the petitioner, namely, **1. Mofizul Hoque @ Mofijul Hoque**, seeking pre-arrest bail in connection with **Dhubri P.S Case No. 214/2025 registered under Sections 109(1)/3(5) of BNS, 2023.**

3. The case arose out of an ejahar dated 19.04.2025 lodged by one Sonali Bibi, stated to be the sister of the alleged victim. It is alleged that the accused persons asked him to come to one bridge near Dhubri and when he went there, he found them in a vehicle with two girls inside, whereupon he expressed reluctance to accompany them. That, this led to an altercation and it is alleged that he was threatened that if he does not go to the mela, they would kill him.

4. It is further alleged that pursuant to such altercation, the accused persons threw him off the bridge resulting in injuries.

5. The learned counsel for the petitioner submits that the narration in the ejahar is distorted and highly exaggerated. It is submitted that real facts of the case are that the victim along with the other persons were doing some filming/photography on the bridge near

Dhubri, whereupon some locals objected and leading to a altercation between them and in that situation, he jumped off the bridge himself. When his parents came, he said that he was thrown off by the accused persons.

6. The learned Additional Public Prosecutor for the State further submits that though case diary has been received but the medical report has not been received. It is further submitted that the victim has implicated the present petitioner seeking anticipatory bail.

7. I have also perused the statement of one of the girls.

8. Perusal of the medical report is necessary for proper adjudication of this bail. Therefore, case diary may be sent back and medical report may be requisitioned by the prosecution.

9. In the meantime, the accused petitioner can be given an opportunity to record his version of events as contended by the learned counsel for the petitioner.

10. Therefore, in the **interim**, in the event of his arrest in connection with this case, the above-named petitioner shall be allowed to go on **interim bail of Rs.20,000/- (Rupees Twenty Thousand)** only with **one** surety of the like amount subject to the satisfaction of the arresting authority with following conditions:

- (i) That the petitioner shall cooperate with the investigation;
- (ii) That the petitioner shall appear before the I.O to record his statements;
- (iii) That the petitioner shall not hamper or tamper with

evidence.

11. List on 29.10.2025.

JUDGE

Comparing Assistant