

GAHC010174512016



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

**Case No. : WP(C)/6474/2016**

MD. ANWAR HUSSAIN BORBHUYAN  
S/O. ALHAJ NOOR UDDIN BORGHUYAN, R/O. VILL. DOBOKA, WARD NO. 4,  
P.O. and P.S. DOBOKA, DIST. HOJAI, ASSAM.

VERSUS

THE STATE OF ASSAM AND 26 ORS  
REP. BY THE SECRETARY AND COMMISSIONER TO THE GOVT. OF ASSAM,  
DEPTT. OF HOME, DISPUR, GUWAHATI -6, ASSAM.

2:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ULUBARI  
GUWAHATI -7  
DIST. KAMRUPM  
ASSAM.

3:THE SUPERINTENDENT OF POLICE  
DIPHU  
DIST. KARBI ANGLONG  
ASSAM.

4:THE DIST. TRANSPORT OFFICER  
DIPHU  
DIST. KARBI ANGLONG  
ASSAM. 4. A THE MOTOR VEHICLE INSPECTOR  
O/O. THE D.T.O.  
DIPHU  
KARBI ANGLONG  
ASSAM.

5:ABDUL JALIL

S.I.

BAKALIA POLICE STATION  
DIST. KARBI ANGLONG  
ASSAM.

6:ANWAR HUSSAIN

S/O. AFTAR UDDIN  
R/O. VILL. THEPLIANGLONG  
P.S. BAKALIA  
HOWRAGHAT  
DIST. KARBI ANGLONG  
ASSAM.

7:SMTI. BINA RANI NATH  
W/O. LT. DIPCHARAN NATH  
R/O. VILL. DIGHOLIPAR. P.S. HOWRAGHAT  
DIST. KARBI ANGLONG  
ASSAM.

8:MUSTT. JAMILA BEGUM  
W/O. MD. ANWAR HUSSAIN

9:MD. ANWAR HUSSAIN  
S/O. AFTAB UDDIN

10:MISS APACHANA BEGUM  
D/O. MD. ANUWAR HUSSAIN

11:MISS RUMANA BEGUM  
D/O. MD. ANUWAR HUSSAIN.

12:MD. ALTAP HUSSAIN  
S/O. MD. ANUWAR HUSSAIN

13:MD. JABIR HUSSAIN  
S/O. MD. ANUWAR HUSSAIN.

14:MD. SABIR HUSSAIN  
S/O. MD. ANUWAR HUSSAIN  
THE RESPONDENT NO. 10 TO 14 ARE MINOR  
HENCE REP. BY THEIR MOTHER I.E. RESPONDENT NO. 9 AND ALL THE  
RESPONDENT NOS. 8 TO 14 ARE RESIDENT OF VILL. THEPLIANGLONG  
MILONGAON  
P.O. BAKALIAGHAT  
P.S. BAKALIA  
DIST. KARBI ANGLONG

ASSAM.

15:SMTI. PRABHA RANI NATH

W/O. SRI ANIT NATH @ ANIL DEB NATH.

16:SRI ANIL NATH @ ANIL DEB NATH

S/O. LT. ABANI NATH.

17:SRI PIPLU NATH

S/O. SRI ANIL NATH @ ANIL DEB NATH. THE RESPONDENT NO 17. IS  
MINOR

HENCE REPRESENTED BY HIS MOTHER I.E. RESPONDENT NO. 15 AND  
ALL THE RESPONDENT NOS. 15 TO 17 ARE THE RESIDENT OF VILL.

PATRADISHA

P.S. BAKALIA

DIST. KARBI ANGLONG

ASSAM.

18:SMTI. MALOTI DEVI

W/O. LT. BHUNESWAR SINGH @ GUNESWAR SINGH

19:SRI BISWAJIT KUMAR

S/O. LT. BHUNESWAR SINGH @ GUNESWAR SINGH

20:SRI BISHAL KUMAR

S/O. LT. BHUNESWAR SINGH @ GUNESWAR SINGH

21:MISS RANJANA KUMARI

D/O. LT. BHUNESWAR SINGH @ GUNESWAR SINGH. THE RESPONDENT  
NOS. 19 AND 20 ARE MINOR

HENCE REP. BY THEIR MOTHER I.E. RESPONDENT NO. 18 AND ALL THE  
RESPONDENT NOS. 18 TO 21 ARE RESIDENT OF VILL. BIROLA

P.S. DIPHU

DIST. KARBI ANGLONG

ASSAM.

22:SMTI. PARUL RANI NATH

W/O. SRI NISHITH RANJAN NATH

23:SRI NISHITH RANJAN NATH

S/O. LT. DINAMONI NATH

24:MISS BAMPI NATH  
D/O. SRI NISHITH RANJAN NATH. THE RESPONDENT NOS. 22 TO 24 ARE  
THE RESIDENT OF VILL. AZARBARI  
P.S. LANKA  
DIST. HOJAI  
ASSAM.

25:SRI MRIDUL KONWAR @ JUN KONWAR  
S/O. HIRANATH KONWAR  
R/O. VILL. BIROLA NEAR HEBRON ENG. SCHOOL  
P.S. DIPHU  
DIST. KARBI ANGLONG  
ASSAM.

26:MISS MAMPI NATH  
D/O. SRI NISHITH RANJAN NATH  
R/O. VILL. AZARBARI  
P.S. LANKA  
DIST. HOJAI  
ASSAM.

27:THE CHIEF REGIONAL MANAGER  
THE NEW INDIA ASSURANCE CO. LTD.  
NORTH EAST REGIONAL OFFICE  
G.S. ROAD  
BHANGAGARH  
GUWAHATI -5  
ASSAM

**Advocate for the Petitioner** : MR.I HAQUE

**Advocate for the Respondent** : MR.N ANANDR- 7,15,16,18,21,22,23and24R- 5and25

**BEFORE**  
**HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**Date** : **04.03.2022**

Heard Mr. B. Chanda, learned counsel for the petitioner; Mr. K. Goswami, learned Additional Senior Government Advocate, Assam for the respondent nos. 1, 2 & 3; and Mr. S. Dutta, learned Senior Counsel assisted by Ms. S.

Mushahary, learned counsel for the respondent no. 27. None has appeared for the respondent nos. 6 – 26 today on call.

Mr. Chanda, learned counsel for the petitioner has prayed for 4 [four] weeks' time to obtain instructions regarding the charge sheet filed in connection with Bakalia Police Station Case no. 35/2016.

Mr. Goswami, learned Additional Senior Government Advocate has also prayed for 4 [four] weeks' time to obtain the present status of Bakalia Police Station Case no. 70/2016.

The prayers are allowed.

List the case after 4 [four] weeks.

**JUDGE**

**Comparing Assistant**