

GAHC010198272025



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

**Case No. : AB/2130/2025**

NUMAN UDDIN  
S/O LATE HAFIZ AYUB AHMED  
R/O NAYAPATON  
P.S. BADARPUR  
DIST. SRIBHUMI, ASSAM

VERSUS

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

**Advocate for the Petitioner** : MR H R A CHOUDHURY, J M SULAIMAN, MR. I U CHOWDHURY

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**  
**HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

**ORDER**

**02.09.2025**

**1.** Heard Mr. H.R.A. Choudhury, the learned Senior Counsel, assisted by Mr. I.U. Chowdhury, the learned counsel for the petitioner. Also heard Mr. K.K. Parasar, the learned Additional Public Prosecutor appearing

for the State of Assam as well as Ms. Khusboo Verma, the learned counsel for the informant.

**2.** This application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the petitioner, namely, Numan Uddin, who is apprehending his arrest in connection with Badarpur P.S. Case No. 149/2025, under Sections 308(2)/304(2)/319(2)/318(4)/329(3)/132/351(2) of BNS, 2023.

**3.** The gist of accusation in this case is that on 19.08.2025, one Ahmed Bashirul Islam had lodged an FIR before the Officer-in-Charge of Badarpur Police Station, *inter alia*, alleging naming 3(three) accused persons therein, including the present petitioner stating that the petitioner has been creating disturbance in the developmental works of the school, of which the informant is the Headmaster.

**4.** It is also alleged that the petitioner has also demanded money from the developmental fund of the school, and he used to threaten the family members of the informant.

**5.** It is also alleged in the FIR that at the instance of the present petitioner, the accused Nos. 2 and 3 came to the school of the informant and projected themselves as officers of the crime branch and held a press conference in the school premises.

**6.** It is also alleged that the accused Nos. 2 and 3 also demanded an amount of Rs. 50,000/- (Rupees Fifty Thousand only) from the informant.

**7.** It is also alleged that the conspiracy to cheat the informant was made by the present petitioner, along with the other 2(two) co-accused.

**8.** The learned Senior Counsel for the petitioner has submitted that the accusation levelled against the petitioner in the FIR is not true. He further submits that the accusation of impersonating as Crime Branch Officers are made only against the accused Nos. 2 and 3 in the FIR and no specific accusation has been made against the petitioner.

**9.** He further submits that the lodging of the present FIR on 19.08.2025 is a counter-blast by the informant to the complaint case lodged by the present petitioner against the informant against the informant on 13.06.2025.

**10.** He submits that on the basis of the complaint lodged by the present petitioner, one CR case was registered, i.e., CR Case No. 503/2025 and cognizance of offence was taken by the Trial Court on 18.06.2025.

**11.** The learned Senior Counsel further submits that subsequent to the lodging of the aforesaid complaint case, the petitioner again lodged another complaint case, which was registered as CR Case No. 546/2025. In the same case also, the cognizance was taken by the learned Magistrate on 26.06.2025 and summons were issued to the accused persons named therein, including the informant Bashirul Islam.

**12.** He submits that after receipt of the summons from the Court in both the cases, the informant had lodged a false and concocted FIR against the present petitioner, in which the main accusation has been levelled against respondent Nos. 2 and 3.

**13.** The learned Senior Counsel for the petitioner has also submitted that the petitioner is ready to cooperate in the investigation.

**14.** On the other hand, the learned Additional Public Prosecutor has submitted that since accusation has been levelled against the present petitioner also, that it is at his instance, accused Nos. 2 and 3 projected themselves as fake Crime Branch Officers and the Case Diary may be called for. He also objected to grant of any interim protection at this stage.

**15.** Similarly, Ms. Verma, the learned counsel for the informant also objected to grant of any interim relief and submitted that as the petitioner has been threatening the informant, if the petitioner is granted any interim relief at this stage, he may tamper with the evidence and influence the witnesses of the case.

**16.** I have considered the submissions made by the learned Senior Counsel for both sides. Perusal of the Case Diary would be necessary. Hence, call for the Case Diary.

**17.** Let this case be listed on 22<sup>nd</sup> of September, 2025. However, in the meanwhile, considering the submissions made by the learned Senior Counsel for the petitioner as discussed in the foregoing paragraphs, as well as considering the fact that the main accusation of impersonation as Crime Branch Officers is against the accused Nos. 2 and 3 mentioned in the FIR, as well as considering the fact that the accusation against the present petitioner that he has been threatening the informant is a general accusation without mentioning any specific date as to when such threatening was given by the present petitioner. Therefore, this Court

directs the petitioner to appear before the Investigating Officer of Badarpur P.S. Case No. 149/2025 within a period of 7(seven) days from the date of this order and cooperate in the investigation. If he does so within a stipulated period of time, in the event of his arrest, in connection with the aforesaid case, he shall be granted interim bail of Rs. 30,000/- (Rupees Thirty Thousand only) with a suitable surety of like amount, subject to the satisfaction of the arresting authority with following conditions:-

- (i) the petitioner shall appear and co-operate in the investigation; and
- (ii) the petitioner shall not directly or indirectly make any inducement, threat or promise to the informant or to any other person who may be acquainted with the facts of the case so as to dissuade such person from disclosing such facts before the Investigating Officer or to any Court.

**18.** List accordingly on 22<sup>nd</sup> September, 2025.

**JUDGE**

**Comparing Assistant**