

GAHC010198752025



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

Case No. : AB/2159/2025

MAJIDUL ISLAM
SON OF MOFIJUL HOQUE
RESIDENT OF VILL- HURKAKUCHI, P.S. AND DIST. GOALPARA, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REP. BY THE PP, ASSAM

2:POBITRA SRANGPHANG SI (P)

S/O THANGMA CHARAN SRANGPHANG
GOALPARA TOWN
O.P. POLICE STATION
P.S. AND DIST. GOALPARA
ASSAM

3:Ajmira Begum
D/O- Abed Ali
Vill- Dolgoma
P.S.- Matia
Dist- Goalpara
Assam

4:Mihirun Nessa
D/O- Ismail Hussain
Vill- Balapathar
P.S.- Kalgachia
Dist- Barpeta
Assa

Advocate for the Petitioner : MR. M KHAN, S ISLAM, DR. B N GOGOI, K MAINUDDIN, MS J

AKTAR,MR A K DAS

Advocate for the Respondent : PP, ASSAM, S RAHMAN (R-4),S RAHMAN (R3)

BEFORE
HON'BLE MR. JUSTICE SANJEEV KUMAR SHARMA
ORDER

22.01.2026

Heard Dr. B N Gogoi, learned counsel for the petitioner. Also heard the learned Additional Public Prosecutor for the State respondent.

2. This application under Section 482 of the BNSS, 2023 has been filed by the petitioner, namely, Majidul Islam, seeking pre- arrest bail in connection with Goalpara P.S Case No. 156/2025 registered under Section 61(2)/143 BNS, read with Section 6/7 of POCSO Act and Section 3/4/5/7 of Immoral Trafficking Act, 1956.

3. It appears from the case record that an ejahar was lodged on 12.08.2025 by SI(P) Pobitdra Srangphang stating, inter alia, that on 11.08.2025 at around 8:00 PM, based on secret information received by the In-Charge of Goalpara TOP from a reliable source, it was suspected that prostitution activities were being carried on at Pancharatna Hotel near the ASTC Point. Accordingly, a General Diary Entry was made at Goalpara TOP, and a police team led by DSP

(Headquarters) Dipankar Dekaraja, along with Inspector Partha Pratim Singkon (Officer-in-Charge, Goalpara PS), SI Biprasri Roy (I/C, Goalpara TOP), the informant, and other police personnel, proceeded to Pancharatna Hotel and reached there at around 9:15 PM.

4. Upon arrival, the police team found the hotel manager, Abdul Majid, at the reception counter. When he was questioned regarding the occupants of the rooms, he failed to provide satisfactory answers. It was also noticed that the check-in and check-out registers were not properly maintained and lacked relevant entries. A search was conducted, during which two girls were found in separate rooms, and a few other individuals were found in another room. One unused condom was also recovered from the premises. The CCTV footage revealed that several men were seen entering the rooms where the girls were staying, one after another.

5. Based on the findings, four individuals, namely, Billal Hussain, Forid Ali, Abdul Majid, and Karim Ali, were apprehended from the hotel premises. The preliminary investigation revealed that the hotel owner, Majidul Islam, had been exploiting economically vulnerable girls by involving them in prostitution, and it appeared that this illegal activity had been continuing for a considerable period of time with criminal intent.

6. At around 11:00 PM, the informant, along with the police staff, the four apprehended persons, and the two victim girls, left the hotel premises. Upon further inquiry, the victims were identified. The victims stated that they were coerced into prostitution by the hotel owner Majidul Islam and one Billal Hussain. They further alleged that they were threatened and, at times, lured with money to continue engaging in such acts.

7. Based on the above, Goalpara P.S. Case No. 156/2025 was registered under Sections 61(2)/143 of the BNS read with Sections 6/17 of the POCSO Act and Sections 3/4/5/7 of the Immoral Trafficking (Prevention) Act, 1956. Investigation was initiated accordingly, and the accused persons Abdul Karim @ Karim Ali, Forid Ali, and Abdul Majid were arrested on 12.08.2025.

8. The Case Diary, as called for, has been received, wherein the statements of two victims are available, but there is no implication of the present petitioner in their statements. It is only in the statements of the co-accused persons that the present petitioner has been implicated.

9. As per the law laid down by the Hon'ble Apex Court, the statements of the co-accused persons cannot be taken into consideration for the purpose of considering bail. Furthermore, the investigation is also complete and the charge-sheet has already been submitted.

10. Having regard to the above, the prayer for pre-arrest bail is allowed.
11. It is directed that the petitioner, namely, Majidul Islam shall, in the event of his arrest, be released on bail with a bail bond of Rs. 1,00,000/- (Rupees one lakh) with two local sureties of like amount to the satisfaction of the arresting authority.
12. It is further provided that the petitioner shall regularly participate in the trial once the same commences against him and shall not try to influence or intimidate the witnesses.
13. The petition stands disposed of accordingly.

JUDGE

Comparing Assistant