

GAHC010206222025



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

Case No. : AB/2228/2025

IZAZ YUSUF AHMED
S/O SALAHUDDIN AHMED
R/O BISHNU RABHA PATH
BELTOLA, GUWAHATI, ASSAM.

VERSUS

THE STATE OF ASSAM
REP. BY THE SPL. PP, ASSAM

Advocate for the Petitioner : MR. A K BHUYAN, P BHOWMICK, N.R. SHARMA, MR J DAS, MR A TALUKDAR, MR. A KHOOND, MS. N CHOUDHURY

Advocate for the Respondent : SPECIAL PP, VIGILANCE,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

11.09.2025

1. Heard Mr. A.K. Bhuyan, the learned counsel for the petitioner. Also heard Mr. P. Kataki, the learned Special Public Prosecutor CM Vigilance Cell.

2. This application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the petitioner, namely, Izaz Yusuf Ahmed, who is apprehending his arrest, in connection with Vigilance P.S. Case No. 19/2025 under Sections 120 (b)/420/467/468/471/198 of the Indian Penal Code read with Sections 13(1) (a)/13(2) and 12 of the Prevention of Corruption Act, 1988.

3. The gist of accusation in this case against the petitioner is mainly that he has issued a certificate for Economically Weaker Section to one Izaz Yusuf Ahmed flouting the requisite norms as provided in the guidelines issued by the Government of Assam.

4. The learned counsel for the petitioner has submitted that the alleged EWS certificate was issued by the petitioner in his capacity as Circle Officer, Dispur Revenue Circle five years back on 27.02.2020. It is further submitted by the learned senior counsel for the petitioner that the said EWS certificate was issued by the petitioner on the basis of the original documents produced by the applicant as well as on the basis of the report of the Lat Mandal which was submitted after field verification in the said case.

5. The learned counsel for the petitioner has further submitted that after registration of this case, it is apparent from the FIR itself that the original documents submitted by the applicant were found missing and it was reportedly due to the re-location of the office during construction of the CDC Office Building.

6. The learned counsel for the petitioner has submitted that in the

meanwhile, the statement of the petitioner has already been recorded.

7. He also submits that one of the co-accused, namely, Lakshya Jyoti Das has been granted interim protection by this Court in A.B. Case No. 2099/2025 on 02.09.2025 and the Case Diary has been called for and the next date of the said case is fixed on 24.09.2025.

8. On the other hand, the learned Special Public Prosecutor CM Vigilance Cell submits that there is no apprehension of the petitioner getting arrested, as of now, had that be required the petitioner has been arrested by the Investigating Officer.

9. As the connected case of the co-accused is listed on 24.09.2025, where the Case Diary has already been called for.

10. Let this case be also listed on the said day for Case Diary.

11. However, in the meanwhile, considering the submissions made by the learned counsel for the petitioner, if the petitioner is arrested before arrival of the Case Diary, he shall be granted interim bail of Rs.30,000/- (Rupees Thirty Thousand only) with a surety of like amount, subject to the satisfaction of the arresting authority with following conditions:-

(i) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person who may be acquainted with the facts of the case so as to dissuade such person from disclosing such facts of the case before the Investigating Officer; and

(ii) That the petitioner shall co-operate in the

investigation;

12. List accordingly.

JUDGE

Comparing Assistant