

GAHC010215122025



2025:GAU-AS:13105

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

Case No. : AB/2339/2025

RAHMAN ALI
S/O LATE NACHIR ALI
VILLAGE - SATGAON, P.S.- BAIHATA CHARIALI, DISTRICT - KAMRUP,
ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. N UDDIN, MR S K CHHETRY,MR. M ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

22.09.2025

Heard Mr. N. Uddin, learned counsel appearing for the petitioner. Also heard Mr. K. Baishya, learned Addl. Public Prosecutor for the State.

By this application the petitioner has prayed for pre arrest bail in

connection with Changsari P.S. Case No. 186/2025 registered under Section 64(1)/117(2)/351(2)/351(3) of BNS.

The FIR dated 11.09.2025 reveals that the informant who was working in alcohol factory for her livelihood was taken by her friend's husband for some work and that instead of taking her for the said work, took her to a jungle area and by calling his friends committed forceful physical relationship with her and physically assaulted her too. She also alleged that the accused person i.e her friend's husband threatened her and that he fled from the scene and that she lodged the ejahar against the said accused person and others.

Mr. N. Uddin, learned counsel for the petitioner submits that the name of the petitioner does not figure in the said FIR. It is stated that the main accused person had brought his friends and has assaulted the victim. He submits that the main accused person has been arrested and is behind the bar.

Mr. K. Baishya however submits that although the allegations are against the main accused person but it is alleged that the main accused person has brought his friends and had committed the incident.

I have heard the counsels and have gone through the records.

It is reflected that, it was the main accused who had took the victim from her house and had physically assaulted and allegedly raped her by taking her to a secluded area.

In view of the same, this Court deems it fit that the petitioner may be released on pre arrest bail on furnishing of a bail bond of Rs. 20,000/- (Rupees twenty thousand) with one (1) local surety of the like amount to the satisfaction of the Arresting Authority under the following conditions:-

- 1) The petitioner shall co-operate with the investigation and shall appear before the Investigating Officer as and when called for.
- 2) The petitioner shall not tamper with the evidence or influence the witnesses.
- 3) The petitioner shall not leave the jurisdiction of the Arresting Officer without the permission of the said Court.

The petition is disposed of.

JUDGE

Comparing Assistant