

GAHC010242402024



2026:GAU-AS:3857

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

Case No. : AB/3033/2024

NURUL ISLAM
S/O MLKACHED ALI
R/O SATRAKANARA
P.O. SATRAKANARA
P.S. BAGHBOR
DIST. BARPETA, ASSAM
PIN-781308

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M HUSSAIN, MS. T SOM, MR. R P SARMAH, MR M KHAN, MR A.K. MOLLAH, MR. R I MONDAL

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA

O R D E R

Date : 17.03.2026.

Heard Ms. T. Som, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Addl. P.P., Assam appearing on behalf of the State

respondent.

This is an application under Section 482 of BNSS, 2023 praying for grant of pre-arrest bail to the accused/petitioners, namely, Nurul Islam who is apprehending arrest in connection with the Garchuk P.S. Case No. 345/2024, registered under Sections 281/132/303(2)/61(2)/317(2)/3(5) of the BNS, 2023.

The case diary is received and perused to same.

However, it is submitted by Mr. Borthakur, the learned Addl. P.P., Assam submitted that the case diary is not updated one and it was last updated on 01.02.2026 and the statement of the petitioner is not available in the case diary. In that context, Ms. Som, the learned counsel for the petitioner submitted that the petitioner has already appeared before the I.O. and he extended his cooperation with the investigation of this case. More so, the vehicle in question is also given zimma to the present petitioner for which he also appeared before the I.O. and took zimma of the vehicle. However, the petitioner is still ready and willing to cooperate with further investigation of the case, if he is provided with some interim protection.

Mr. Borthakur, the learned Addl. P.P., Assam submitted in this regard that the case is pending since long and interim protection was granted to the present accused petitioner on 13.12.2024 and from the materials available in the case diary, it is seen that the vehicle in question was already given zimma of the present petitioner, for which he also appeared before the I.O. and took zimma of the vehicle, though his statement is not available in the case diary.

Considering the submission of the learned counsel for both sides vis-à-vis the

statement made by Ms. Som, the learned counsel for the petitioner regarding his cooperation in the investigation of this case and the fact that the vehicle in question was already given zimma of the present petitioner, I find that custodial interrogation of the present accused petitioner may not be necessary for the purpose of further investigation of this case. However, the petitioner is directed to extend his cooperation and will appear before the I.O. as and when required, for further investigation of the case.

Accordingly, the interim order granted earlier to the petitioner on 13.12.2024 is made absolute in same terms and conditions.

The bail petition stands allowed and disposed of. Return back the case diary forthwith.

JUDGE

Comparing Assistant