

GAHC010244802025



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

Case No. : AB/2624/2025

ALFAZ HUSSAIN AND 6 ORS.
SON OF ABDUL RASHJID
R/O NEAR LIC OFFICE, WARD NO. 3, P.S. TEZPUR DIST. SONITPUR, ASSAM,
PIN-784001.

2: ARMAN ALI
SON OF KURBAN ALI
RESIDENT OF 5-5(1)
KACHARIGAON
BSNL ROAD
TRIBENI CINEMA HALL

P.S. TEZPUR
DIST. SONITPUR
ASSAM
PIN-784001.

3: KURBAN ALI
S/O HAJI GURAMIA
R/O 5-5(1)
KACHARIGAON
BSNL ROAD
TRIBENI CINEMA HALL
P.S. TEZPUR

DIST. SONITPUR
ASSAM

PIN-784001

4: MAMINA BEGUM @ SHERI KHATUN
W/O ABDUL RASHID
R/O 5-5(1)
KACHARIGAON

BSNL ROAD
TRIBENI CINEMA HALL
P.S. TEZPUR

DIST. SONITPUR
ASSAM

PIN-784001

5: JAMILA KHATUN
W/O LATE TOKIR AHMED KHAN RESIDENT OF KACHARIGAON
P.S. TEZPUR
DIST. SONITPUR
ASSAM
PIN-784001.

6: NECHIMA KHATUN @ NISIMA KHATUN
D/O LATE ABDUL RASHID
RESIDENT OF WARD NO. 3
P.S. TEZPUR
DIST. SONITPUR
ASSAM
PIN-784001.

7: FARIDA BEGUM @ MUSST. BEGUM
D/O ASHRAF ALI
RESIDENT OF WARD NO. 4
MOJID ROAD

P.S. TEZPUR
DIST. SONITPUR
ASSAM

PIN-784001

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A CHAUDHURY, MR. D BORA, MR. N MAHAJAN, MR. P K DAS

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA**

ORDER

06.11.2025

Heard Mr. B.K. Mahajan, learned counsel for the petitioner and Mr. D.P. Goswami, learned Additional Public Prosecutor for the State.

The application under Section 482 of BNS, 2023, has been filed by the petitioners, namely, (1) Alfaz Hussain, (2) Arman Ali, (3) Kurban Ali, (4), Mamina Begum @ Sheri Khatun, (5) Jamila Khatun, (6) Nechima Khatun @ Nisima Khatun and (7) Farida Begum @ Musstt. Begum who are apprehending their arrest in connection with Tezpur P. S. Case No. 709/2025 under Sections 61(2)/326(g)/351(2)/126(2)/3(5) of the BNS, 2023.

The allegations as reflected in the FIR, *inter alia*, are that on 22.10.2025 at around 02:10 a.m. the complainant's shop was deliberately burned down by the present petitioner nos.1, 2 & 3.

Call for the Case Diary.

It is submitted by the learned counsel for the petitioners that on plain a reading of the FIR itself, it would be apparent that nobody actually saw the petitioners committing the act of arson. It is further submitted that the petitioners' own house is located adjacent to the premises rented out to the complainant and therefore, the petitioners can hardly be expected to set the adjacent house on fire as it would affect their own house as well.

It appears that the petitioners have been named in the FIR on suspicion due to prior dispute regarding possession of a garage being operated by the

complainant.

Having regard to the above, it is provided that the petitioners in the event of their arrest shall be released on interim pre-arrest bail on furnishing a bail bond of Rs.20,000/- each with one surety each for like amount to the satisfaction of the arresting authority in connection the aforesaid case. It is further provided that the petitioners shall cooperate with the investigation and appear before the I.O within a period of 7 (seven) days from today. The petitioners shall not try to intimidate or influence the witnesses in any manner.

List the matter again on 26.11.2025.

JUDGE

Comparing Assistant