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

Case No. : AB/2673/2025

MAJIBAR RAHMAN AND ANR
S/O LATE RAFIJ UDDIN @ RAFIK UDDIN
RESIDENT OF VILL- BATUWA, P.O. SARUPETA, P.S. PATACHARKUCHI, DIST.
BAJALI, ASSAM, PIN-781318.

2: MAJIRAN NESSA
W/O MAJIBAR RAHMAN
RESIDENT OF VILL- BATUWA
P.O. SARUPETA
P.S. PATACHARKUCHI
DIST. BAJALI
ASSAM
PIN-781318

VERSUS

THE STATE OF ASSAM
TO BE REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR H R A CHOUDHURY, MR. SAYED SALIM AHMED, M
ALAMGEER

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 21.01.2026

- 1.** Heard Mr. H. R. A. Choudhury, the learned counsel assisted by Mr. M. Alamgeer, the learned counsel for the petitioners. Also heard Mr. B. Sarma, the learned Additional Public Prosecutor for the State respondent who submits that though the case diary was called for, however, the charge-sheet has been laid bearing charge-sheet No. 197/2025 dated 16.11.2025.
- 2.** It also appears that the Trial Court i.e., the Court of Judicial Magistrate First Class, Bajali has taken the cognizance of offence under Section 126(2)/118(2)/108/296/351(2)/3(5) of the BNSS, 2023 against the petitioner, namely, Majibar Rahman and under Section 126(2)/ 296/351(2)/3(5) of the BNSS, 2023 against the petitioner, namely, Majiran Nessa.
- 3.** It also appears that the Trial Court has issued summons to the petitioner and have fixed next date of appearance in PRC Case No. 293/2025 on 18.02.2026.
- 4.** Since the charge-sheet has been laid and since for all of the offence under which cognizance have been taken against the petitioner, the Trial Court is competent to grant bail to the present petitioner and since, only summons have been issued to the petitioners, this Court is of the considered opinion that there is no apprehension of petitioner getting detained behind the bars in connection with the aforesaid case.
- 5.** Hence, this anticipatory bail application is disposed of with a direction that the petitioners to appear before the Trial Court on the next date fixed i.e., 18.02.2026 in pursuant to the summons received by them.

- 6.** On their appearance before the Trial Court, they may pray for regular bail before such Court.
- 7.** With the above observations, this bail application is disposed of.
- 8.** If the petitioner files such an application, the same shall be considered by the Trial Court as per law.

JUDGE

Comparing Assistant