

GAHC010266812025



2026:GAU-AS:3834

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

Case No. : AB/2824/2025

ADIL HOQUE
S/O. BAHNUR ALI, R/O. SALIKAJHAR, P.S. SIPAJHAR, DISTRICT DARRANG,
ASSAM, PIN CODE 784148

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. RAJARSHEE DE, MR. F A HASSAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 16-03-2026

Heard Mr. R. De, the learned counsel for the petitioner. Also heard Mr. B. Sharma, the learned Additional Public Prosecutor appearing on behalf of State respondent.

2. This is an application filed under Section 482 of the Bharatiya Nagarik

Suraksha Sanhita (BNSS), 2023 for granting pre-arrest bail to the petitioner, namely, **Adil Hoque** in connection with Nagaon P.S. Case No. 940/2024 corresponding to G.R. No. 2646/2025 under Sections 303(2)/317(3) of BNS, 2023.

3. Case Diary received. Perused the same.

4. It is submitted by Mr. De, the learned counsel for the petitioner that the present accused/petitioner is innocent. However it is a fact that he purchased the vehicle from one scrap dealer and it was sold to one Bubul Deka, for which he got a commission of Rs. 10,000/-, which is also credited to his account. That apart, he is not at all involved in the alleged offence. However, after obtaining the order of interim pre-arrest bail i.e. on 16.12.2025, he appeared before the I/O, cooperated in the investigation and his statement is also recorded by the I/O. He is still ready and willing to extend his cooperation in the further investigation of this case, if he is granted with the privilege of pre-arrest bail.

5. Mr. Sharma, the learned Additional Public Prosecutor submitted in this regard that from the available materials of the Case Diary it is seen that he is the main culprit of this case who sold the stolen vehicle to one of the co-accused at Rs. 2,30,000/- wherefrom the vehicle was recovered. Further, he submitted that the I/O has given a note wherefrom it is seen that his further custodial interrogation may be necessary to unearth some more facts of this case. Mr. Sharma accordingly raised objection to allow him to go on pre-arrest bail.

6. Hearing the submissions made by learned counsel for both sides, I have also perused the Case Diary and it is a fact that the vehicle has been recovered

from one of the co-accused Bubul Deka but, considering the other materials in the Case Dairy and the progress of the investigation, vis-a-vis the recovery of the vehicle, I find that custodial interrogation may not be necessary for the interest of investigation.

7. In view of above, the interim bail granted to the present petitioner dated 16.12.2025 is hereby made absolute with same terms and conditions.

JUDGE

Comparing Assistant