

GAHC010008252026



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

Case No. : AB/2967/2025

AZIZUR RAHMAN
S/O- LATE ATOWAR RAHMAN VILLAGE- DUBACHURI PART- 1P.O.-
KUSHBARI POLICE STATION- MERERCHAR DISTRICT- BONGAIGAON
ASSAM.

2: ABDUL ALIM
S/O- LATE ATOWAR RAHMAN VILLAGE- DUBACHURI PART- 1P.O.-
KUSHBARI POLICE STATION- MERERCHAR DISTRICT- BONGAIGAON
ASSAM.

3: MIZANUR RAHMAN
S/O- LATE ATOWAR RAHMAN VILLAGE- DUBACHURI PART- 1P.O.-
KUSHBARI POLICE STATION- MERERCHAR DISTRICT- BONGAIGAON
ASSAM.

4: ABDUL LATIF
S/O KHURSHED ALI

RESIDENT OF VILLAGE- DUBACHURI PART- 1P.O.- KUSHBARI POLICE
STATION- MERERCHAR DISTRICT- BONGAIGAON
ASSAM.
VERSUS

THE STATE OF ASSAM
REP BY THE PP
ASSAM

Advocate for : MR. S RANA
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

**BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA**

ORDER

25.02.2026

Heard Mr. S. Munir, learned counsel for the accused/applicants. Also heard Mr. K.K. Parasar, learned APP for the State and Mr. S.K. Chhetry, learned counsel for the informant.

2. This is an application under Section 482 of the BNSS, 2023, for grant of pre-arrest bail to the accused/applicants in connection with Mererchar P.S. Case No. 45/2025 registered under Section 189(2)/103(1) of the BNS, 2023.

3. The prosecution case in brief is that on 08.12.2025, the informant, Akbar Ali, lodged an FIR at Mererchar Police Station inter alia stating that on the previous day, i.e., 07.12.2025, at about 11:30 PM, while his father was returning home from Paltanbazar after attending a religious meeting, the accused/applicants, along with other co-accused persons, allegedly assaulted his father on the road in front of the house of accused No. 1, namely Kashem Ali, causing serious injuries. Upon hearing the hue and cry, the informant and others came to the spot and found the victim lying on the ground in a pool of blood. He was immediately taken to the hospital at Abhayapuri and subsequently referred to Bongaigaon Hospital, where he was declared dead.

4. The learned counsel for the accused/applicants submits that the FIR has been lodged falsely due to certain animosity between the family of the informant and the accused/applicants, who were not involved in assaulting the informant's father. He further submits that the accused/applicants are willing to fully cooperate with the investigation in the event of their release in pre-arrest

bail. Therefore, they may be granted pre-arrest bail.

5. The case diary in the instant case has been produced before the Court. Upon perusal, it is observed that the case diary prima facie contains sufficient incriminating materials against the accused/ applicants.

6. In view of the aforesaid, the instant anticipatory bail application is rejected at this stage.

JUDGE

Comparing Assistant