

GAHC010289032025



undefined

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

Case No. : WP(C)/98/2026

PIYARAN BIBI ALIAS MUSSTT PYARON BIBI
DAUGHTER OF LATE EYAZ SHEIKH ALIAS EYAZUDDIN SHEIKH , AGE 69
YEARS, WIFE OF Late MOGRAB ALI ALIAS MOGRAB ALI SHEIKH,
RESIDENT OF VILL DHAKNABARI, P.S-JOGOGHOPA, DIST BONGAIGAON,
ASSAM.

VERSUS

THE UNION OF INDIA AND OTHERS
REPRESENTED BY THE MINISTRY OF HOME AFFAIRS DEPTT. , NEW
DELHI-01.

2:THE STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
HOME DEPARTMENT
DISPUR
GUWAHATI-6

3:THE DISTRICT COMMISSIONER
BONGAIGAON
ASSAM

4:THE SUPERINTENDENT OF POLICE (B)
BONGAIGAON
ASSAM

5:THE ELECTION COMMISSION OF INDIA
NEW DELHI-110001

6:NATIONAL REGISTER OF CITIZENS

STATE COORDINATOR
ASSAM
BHANGAGARH

GUWAHATI-05
DIST- KAMRUP (M

Advocate for the Petitioner : MS. B. HAZARIKA, MS. R CHOUDHURY, MR. Z. HUSSAIN

Advocate for the Respondent : DY.S.G.I., SC, ECI, SC, NRC, SC, F.T, GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

09.01.2026

(K.R. Surana, J)

Heard Ms. R. Choudhury, learned counsel for the petitioner. Also heard Ms. S. Baruah, learned CGC; Mr. G. Sarma, learned standing counsel for the FT and Border matters; Ms. S. Katakey, learned standing counsel for the ECI; and Mr. H. K. Hazarika, learned Govt. Advocate for the State respondent.

2. By filing this writ petition under Article 226 of the Constitution of India, the petitioner has assailed the impugned opinion dated 13.11.2025, passed by the learned Member, Foreigners' Tribunal, Bongaigaon No.2, Abhayapuri, in F.T. Case No. BNGN/FT-2/APR/694/2017, arising out of IMDT Case No.1377/2004, by which the petitioner was declared as an illegal migrant of post 25.03.1971 stream.

3. Issue notice returnable in 4 (four) weeks.

4. Requisite extra copies of the writ petition be furnished to the learned counsel for the respondents within 2 (two) working days.

5. Let the relevant records be called for from the concerned Foreigners Tribunal by email at the following email address:

bngnft2@gmail.com

6. The prayer for bail is opposed by the learned standing counsel for the FT matters. However, in view of the projection made in this writ petition, the Court is inclined to grant bail to the petitioner, namely, Piyan Bibi @ Musstt. Pyaron Bibi, by providing that if she has not already been detained in custody, she shall not be taken into custody and deported from the territory of India, on condition that she shall appear before the Superintendent of Police (Border), Bongaigaon within 15 (Fifteen) days from today during the office hours and shall furnish a bail bond of Rs.5,000/- (Rupees five thousand only) with one solvent surety of the like amount to the satisfaction of the said authority. Further, the Superintendent of Police (Border), Bongaigaon is directed that on appearance of the petitioner within the period indicated above, the biometrics of the iris of both eyes, the fingerprints of both hands and the photographs of the petitioner shall be obtained, whereafter, she shall be allowed to remain on bail.

7. On her appearance before the Superintendent of Police (Border), Bongaigaon, as directed above, the said authority shall obtain necessary information and documentation as required under the Rules from the petitioner for securing her presence.

8. On failure of the petitioner to appear before the Superintendent of Police (Border), Bongaigaon, the bail to the petitioner would stand lapsed.

9. List the matter after 4 (four) weeks and/or on receipt of the Tribunal records.

JUDGE

JUDGE

Comparing Assistant