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

Case No. : AB/1939/2026

LUKMAN ALI
S/O - MAFIZ UDDIN, RESIDENCE OF VILLAGE - RESERVE GAON, P.S. - BIHPURLA, DISTRICT - LAKHIMPUR, ASSAM, PIN - 787054.

VERSUS

THE STATE OF ASSAM
, THROUGH THE PUBLIC PROSECUTOR, ASSAM.

Advocate for the Petitioner : MR. B. KUMAR, A B T HAQUE

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MR. JUSTICE SANJEEV KUMAR SHARMA

O R D E R

12.10.2026

Heard Mr. A.B.T. Haque, learned counsel for the petitioner. Also heard Mr. B. Sharma, learned PP for the State.

2. This is an application filed under Section 482 of the BNSS for granting anticipatory bail to the petitioner in connection with Gohpur PS Case No. 04/2026 under Section 61(2)/308/316(2)/318(4) of BNS.

3. The gist of the allegations is that the accused person, along with others, enticed the informant from Maharashtra to purchase alleged gold, pursuant to which the informant paid Rs. 27,00,000/- to certain co-accused persons, but ultimately the gold turned out to be fake upon testing.

4. The learned counsel for the petitioner submits that the present petitioner is not an FIR named accused and the money was received by another co-accused as per the FIR. Furthermore, one co-accused in the case, namely Aajghar@ Abdul Jabbar, was granted pre-arrest bail, as were certain other accused persons. Other co-accused persons, namely Aajghar@ Abdul Jabar & Dipu Gogoi, were arrested and were subsequently granted bail.

5. A previous pre-arrest bail application on behalf of the petitioner being AB No. 1613/2026 was dismissed by this Court by order dated 21.07.2026, wherein it was observed that –

> "*The Case Diary reveals that the present petitioner is one of the prime accused along with another accused, Arfan Ali, who is the brother of the present petitioner. It is further submitted that the Case Diary reveals sufficient incriminating material against the petitioner, and he does not stand on the same footing as the other accused who have been granted pre-arrest bail.*"

6. No new ground for grant of pre-arrest bail has been made out.

7. Having regard to the nature of the allegations and the incriminating material against the present petitioner, the prayer for pre-arrest bail stands

rejected.

8. Send back the Case Diary.

JUDGE

Comparing Assistant