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

**Case No. : Bail Appln./2749/2026**

HABIBUR RAHMAN
SO LATE CHINU MIYA, RO SONARIBALI, PS SAMAGURI, DIST NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner** : MR A SHARMA, MR I AHMED

**Advocate for the Respondent** : PP, ASSAM, MR. S Ali(INFORMANT),MR S ALI(INFORMANT)

**BEFORE**
**HONOURABLE MR. JUSTICE RAJESH MAZUMDAR**

**ORDER**

**Date : 14.10.2026**

1. Heard Mr. A. Sharma learned counsel for the petitioner. Also heard Mr. S.G. Baruah, learned APP, appearing for the State and Mr. S. Ali, learned counsel for the informant.

2. The petitioner, who had been arrested on 02/08/2026 in connection with Samaguri PS Case No. 221/2026, has preferred this application under Section 483 of

the BNSS for grant of bail.

3. The learned counsel for the petitioner has submitted that the petitioner is not a named accused and he is still languishing in jail for 74 days during the investigation.

4. The learned APP has produced the case diary.

5. On going through the contents thereof, it noticed that the petitioner has been named to be a person, who was at the place of occurrence but there are no incriminating statement made against him till now.

6. In view of the length of detention and on perusal of the case diary, this Court is of the view that custodial interrogation of the petitioner is not necessary. Accordingly, the petitioner shall be released on bail on furnishing a bond of Rs. 10,000/- with 2(two) sureties of like amount to the satisfaction of the learned Chief Judicial Magistrate, Nagaon. The learned Trial Court shall be at liberty to impose such other conditions to ensure participation of the petitioner in the trial proceeding.

7. The bail application stands disposed of.

**JUDGE**

**Comparing Assistant**