GAHC010224332026

2026:GAU-AS:15791

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

Case No. : Bail Appln./3223/2026

SAIDUL ISLAM AND ANR
S/O- ASAN ALI.
VILLAGE - SOLIMPUR, P.S.- BAGHBOR, DISTRICT - BARPETA, ASSAM

2: RAKIBUL ISLAM
S/O- PASAN ALI.
VILLAGE - SOLIMPUR
P.S.- BAGHBOR
DISTRICT - BARPETA ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. N UDDIN, MR S K CHHETRY,MR. M ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

Date : 15.10.2026

Heard Mr. N. Uddin, learned counsel for the petitioners and Mr. R. J. Baruah, learned Addl. Public Prosecutor.

2. This is an application under Section 483 of the BNSS, 2023 whereby the

petitioners, **1. Saidul Islam & 2. Rakibul Islam**, have prayed for granting them bail after they were arrested in connection with Baghbar P.S. Case No.72/2026 under Sections 191(2)/191(3)/190/ 117(2)/118(2)/109/74 of the BNS, 2023.

3. Learned counsel for the petitioners has submitted that the clash between the two rival parties had arisen out of the land dispute and both the parties had sustained injuries and accordingly, two FIR has been lodged, bearing Baghbar P.S. Case No. 72/2026 and Baghbar P.S. Case No. 73/2026. The counsel for the petitioner has submitted that the petitioners have spent 45 days in custody.

4. Learned APP has submitted that the case diary reveals that there has been grievous injury sustained by five persons during the fight and sufficient evidence has been collected against the two petitioners. He has submitted that the petitioners may not be granted the privilege of the bail.

5. I have considered the submission made and gone through the materials available and also noted that the petitioners have been in judicial custody for the last 45 days.

6. Having given my due consideration to the contents of the case diary and also having regard to the length of detention of the petitioners and the progress of the investigation, I am of the considered opinion that further custodial interrogation of the petitioners may not be required at this stage.

7. Accordingly, it is provided that the petitioners shall be released on bail on furnishing a bond of **Rs.10,000/- each** with two sureties of the like amount to the satisfaction of the learned **CJM, Barpeta**, who shall also be at liberty to

impose such other conditions as may be deemed necessary to ensure the continued participation of the petitioner in the further investigation of this case. It is made clear that in the event the petitioners engage in coercive threatening the witnesses to the incident, the privilege of bail granted would stand liable to be revoked.

8. The bail application is disposed of.

JUDGE

Comparing Assistant