

GAHC010105382025



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

**Case No. : AB/1149/2025**

SHAKEEL AHMED @ MOHAMMAD SHAKIL  
S/O MD. RAHAMTULA,  
R/O 243(K), SOUTH HAIBORGAON, N.G. ROAD, NEAR NAMGHAR, SADAR,  
KHUTIKATIA, HAIBORGAON, P.S. NAGAON (SADAR),  
DIST. NAGAON, ASSAM,  
PIN-782002

VERSUS

THE STATE OF ASSAM  
REP BY THE PP, ASSAM

**Advocate for the Petitioner** : MR T H HAZARIKA, MR A RASHID, MR. K ISLAM, MR M CHETIA

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**  
**HONOURABLE MR. JUSTICE PRANJAL DAS**

**ORDER**

**31.07.2025**

Heard Mr. T.H. Hazarika, learned counsel for the petitioner. Also heard Mr. R. R. Kaushik, learned Addl. Public Prosecutor, Assam appearing for the State respondent.

2. This petition under Section 482 of BNSS, is filed for granting the privilege of pre-arrest bail to the petitioner, namely, **Shakeel Ahmed @**

**Mohammad Shakil**, apprehending arrest in connection with **Umrangso P.S. Case No. 09/2025** registered u/s **318(4)/336(3) / 340(2)/303(2)/3(5)** of BNS, 2023.

3. The Case diary, as called for, is placed before the Court.
4. It may be mentioned that by order, dated 27.05.2025, this Court granted the privilege of interim pre-arrest bail to the petitioner subject to conditions.
5. It is submitted by the learned counsel for the petitioner that in pursuant to the order 27.05.2025, the petitioner has appeared before the police eleven times. He further submits that the petitioner is ready to co-operation with the investigation.
6. On the other hand, Mr. K. Baishya, learned Addl. Public Prosecutor, submits that the whole racket is involved in this illegal activities of which the present petitioner is one of such persons. He further submits that the police also filed bail objection opposing bail.
7. The case diary as called for has been received along with a bail objection in which Investigating Officer has strongly objected about the ground of bail. It is contended that the alleged offence are in the nature of organized racket transporting coal by making fake in way bills.
8. Several persons are stated to be involved in the said racket with the present petitioner being one of the kingpin. Even the registration number of the intercepted truck carrying coal i.e. BR06-GD-7851 has been found to be fake and the investigation reveals that the actual registration number of the vehicle is BR06-GD-2444. Co-accused, Nurul Hussain, Jitu Deka and Akshay Thaosen after their arrest were custodialy examined

during their investigation.

9. Implicating materials have also emerged from the custodial examination of the co-accused.

10. Perused the statements of the seizure witnesses who have supported the allegations about the truck having been found illegally carrying coal.

11. The investigating authority has contended that custodial examination of the present petitioner is necessary for complete investigation of the case.

12. Learned Additional Public prosecutor opposing the prayer for pre-arrest bail also supports the said contention and submits that custodial examination may be necessary.

13. Seen the progress of investigation. In the facts and circumstances and considering the nature of the allegations and the materials which have emerged so far from the investigation, I find force in the contentions made in the bail objection.

14. Therefore, I come to the considered opinion that it would not be justified to make the interim bail absolute as no fetters should be placed in the interest of investigation going to the root of the matter.

15. Consequently, the prayer for pre-arrest bail stands rejected and the interim bail granted vide order dated 27.05.2025 stands vacated.

16. Return back the case diary.

**JUDGE**

**Comparing Assistant**