GAHC010082982026

2026:GAU-AS:12781

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

Case No. : AB/909/2026

JOYNUL ABEDIN TAPADAR
S/O LATE ABDUL MUKIT TAPADAR, R/O - MAHAKHAL, P.O. P.S. - MAHAKAL, DISTRICT - SRIBHUMI, PIN 788701, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, STATE OF ASSAM.

Advocate for the Petitioner : MR. S K TALUKDAR, K G CHOWDHURY,L P BORAH,MR. J M A CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

03.09.2026

Heard Mr. S K Talukdar, learned counsel for the petitioner. Also heard Mr. K K Parashar, learned Addl. P.P for the State who has produced the report called for by this Court.

2. This an application filed under Section 482 of the BNSS, 2023 for grant pre-arrest bail to the petitioner in connection with Hailakandi P.S. Case No. 133/2025 corresponding to G.R. Case No. 421/2025 under Sections 103(1)/3(5) of the BNS, 2023.

3. The report divulges that the statements of the petitioner herein was recorded and further steps should now be taken by the I.O with regard to either submission of supplementary Charge-sheet or otherwise in connection with Hailakandi P.S. Case No. 133/2025 corresponding to G.R. Case No. 421/2025.

4. This Court notes that in an earlier occasion, it had been submitted that the petitioner had not been put up for trial and on a later occasion the came to light that the I.O had sought the permission of the learned Trial Court to submit further/supplementary Charge-sheet in case record so required in connection with the petitioner.

5. Having regard to the fact that the statement of the petitioner had already been recorded by the I.O in the order dated 08.05.2026, it was provided that the petitioner should not be arrested in connection with the case without there being any warrant of arrest issued by the Competent Court of Law.

6. Having regard to the to the facts and circumstances of the case, this Anticipatory Application is closed by providing that in the event of the arrest of the petitioner during the investigation period he shall be released on bail on

furnishing a bond of Rs. 15,000/- with two sureties of the like amount to the satisfaction of the Investigating Authority.

7. It is made clear that in the event, the Charge-sheet is submitted against the petitioner before the learned Trial Court, the petitioner shall have to avail his remedies in accordance with law for the period of Trial in so far as bail for the period is concerned.

8. Anticipatory Application is accordingly disposed of.

9. The report produced by the Mr. K K. Parashar, learned Addl. PP is kept on record and marked as 'X'.

JUDGE

Comparing Assistant