GAHC010123802026

2026:GAU-AS:10929

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

Case No. : AB/1373/2026

BINUD PEGU
S/O MAHIRAM PEGU
R/O NAYABAZAR P.S. JENGRAIMUKH DIST. MAJULI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A AHMED, MR A AHMED,U U KHAN,MR. M A CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 06.08.2026

Heard Mr. A. Ahmed, learned counsel for the applicant. Also heard Ms. S.H. Bora, learned Additional Public Prosecutor for the State respondent.

2. Apprehending arrest in connection with Jengraimukh P.S. Case No. 21/2026, under Sections 303(2)/317(2) of the BNS, read with Sections 53(1)(a)/54 of the Assam Excise Act, 2000, this application under Section 482, BNSS has been preferred by applicant, namely, Binud Pegu, for grant of pre-arrest bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of an FIR lodged by SI Kulajyoti Roy, I/C Nayabazar P.P. on 05.06.2026. The essence of allegation against the present applicant is that he illegally possessed IMFL/beer stock, i.e. Kingfisher Strong Beer 650 ml x 70 bottles, Lords Whisky 750 ml x 12 bottles, MC Dowells No.1 375 ml x 9 bottles, MC Dowells No.1 180 ml x 14 bottles and Godfather Beer 500 ml x 20 cans, total 70.395 litres.

4. Mr. Ahmed, learned counsel for the applicant submits that the applicant had been granted the privilege of interim pre-arrest bail, vide order dated 22.06.2025, and pursuant to the said order, he had also appeared before the I.O. and he has been cooperating with the investigating agency, and therefore, a contention is being made that the interim order dated 22.06.2025, may be made absolute in the same terms and conditions.

5. On the other hand, Ms. Bora, the learned Additional Public Prosecutor submits that in the meantime, the I.O. has completed investigation and submitted charge-sheet, being Charge-sheet No. 23/2026, dated 02.07.2026.

6. Since charge-sheet has been submitted, this Court is inclined to dispose of this application by directing the applicant to appear before the learned trial Court on or before 24.08.2026, and to apply for regular bail and in the event of such an application being filed, the learned Court below shall consider the same,

in accordance with law.

7. Till then, interim order dated 22.06.2025, shall stand extended.

JUDGE

Comparing Assistant