GAHC010125152026

2026:GAU-AS:10079

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

**Case No. : AB/1372/2026**

TOFIQUE ALI
S/O BUPAI ALI, R/O KHATISONA GAON, CHINOTALI GAON, P.S. MARIANI, DISTRICT JORHAT, ASSAM, PIN 785635

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

**Advocate for the Petitioner** : DR. S R A NASER, MR S B ASHAD,S K SARFRAJ KARIM

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

**BEFORE**
**HONOURABLE MR. JUSTICE ANJAN MONI KALITA**

**ORDER**

**Date : 22-07-2026**

Heard Dr. S. R. A. Naser, learned counsel for the accused applicant and Mr. K. Baishya, learned Additional Public Prosecutor for the State.

2. This is an application under Section 482 of the BNSS, 2023, praying for grant of pre-arrest bail to the accused applicant in connection with Mariani P.S.

Case No. 33/2026 under Sections 316/318 of the BNS, 2023, read with Section 66(C) of the Information Technology Act, 2000, corresponding to G.R. No. 75/2026.

3. The allegation made against the accused applicant in the FIR dated 13.04.2026, *inter alia*, is that the accused applicant had misappropriated an amount of Rs. 1,16,200/-. It is stated that the accused applicant has already returned an amount of Rs. 92,000/- to the informant.

4. A Coordinate Bench of this Court, vide order dated 22.06.2026, granted interim pre-arrest bail to the accused applicant and in terms of the aforesaid order, the accused applicant has already appeared before the Investigating Officer and got his statement recorded.

5. Taking into account the aforesaid fact that the accused applicant is cooperating with the investigation and has already returned an amount of Rs.92,000/-, this Court is of the opinion that the interim pre-arrest bail granted to the accused applicant vide order dated 22.06.2026 should be made absolute.

6. Accordingly, the interim pre-arrest bail granted to the accused applicant vide order dated 22.06.2026 is hereby made absolute on the same terms and conditions as mentioned therein.

7. In terms of the above, the anticipatory bail application stands disposed of.

**JUDGE**

**Comparing Assistant**