GAHC010162752026

2026:GAU-AS:11411

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

**Case No. : Bail Appln./2207/2026**

SRI ADIT CHANDRA RABHA ALIAS ADITYA RABHA
S/O LATE PARESH RABHA, R/O BORJHAR NOWAGAON, P.S. PALASHBARI,
DIST. KAMRUP, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP, ASSAM.

**Advocate for the Petitioner** : MR S BORTHAKUR, SR. ADV., G KAUSHIK,MR R SENSUA

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

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

**ORDER**

**Date : 12.08.2026**

1. Heard learned Senior Counsel Mr. S.Borthakur assisted by Mr. G. Kaushik for the petitioner and Mr. P.S. Lahkar, learned Addl.Public Prosecutor for the respondent State.

2. This is an application filed by the petitioner Adit Chandra Rabha @ Aditya

Rabha under Section 483 of the BNSS, 2023 praying for bail in connection with Palashbari PS Case No. 160/2026 under Sections 316 (5)/318 (4) of the BNS,2023.

3. An FIR was lodged by the complainants, namely Jayanta Dolai and Khanindra Daimari alleging *inter alia* that the accused applicant while serving as the Chairman of Barduar Gaon Panchayat Samabai Samity Limited illegally established and operated a Mini Bank without following the prescribed guidelines and unlawfully collected deposits from the public. It is alleged that he failed to deposit the collected money in the account of the Mini Bank; misappropriated public deposits and neither refunded the deposited amounts nor returned the Passbook collected from the depositors. It was also alleged that certain Government grant was received in the name of the aforesaid Samity amounting to Rs. 8,11,000/- and the same was also mis-utilized by the accused applicant without submitting any requisite utilization certificate to the authority. It was also alleged that the Samity on the behest of the accused applicant obtained a loan of Rs. 55,04,428/- from the Assam Co-operative Bank Ltd. However, the money was also misappropriated by the accused applicant. It is alleged that instead of depositing or utilizing the said money for the society, the accused applicant has used the same for his own purpose. On receipt of the FIR, police registered Palashbari PS Case No. 160/2026 under the aforementioned sections.

4. The learned Senior Counsel appearing for the accused applicant submits that the accused applicant is the Chairman of the Samity and all the decisions has been taken as per the guidelines of the society. The society has a Board which is the supreme body and takes collective decision. Therefore, he submits that individually the accused applicant has not taken any decision and all the

allegations about misappropriation of money is incorrect. He has referred to his explanations made in paragraph nos. 10, 11, and 12 of the bail application, wherein he has detailed the expenditure and utilization of money by the aforesaid Samity. He further submits that the accused applicant has already been behind the bars for the last 32 days, and therefore, further custodial detention may not be required, as the case involves documentary evidence and all such documents are available in the office of the Samity. He submits on instructions that the investigation authority is yet to visit the Samity office for further investigations. In view of the aforesaid, he submits that accused applicant should be granted bail.

5. Case Dairy has been received and the same is perused.

6. The learned Addl.Public Prosecutor opposes the bail prayer by stating that the money has been collected unauthorizedly without any authorization from the concerned authority.

7. This court has heard the submissions made by the learned counsel for the respective parties.

8. It is seen that on account of Gandhi Jayanti, a financial institution named 'Sanchay Nidhi' was established in presence of the Registrar of Cooperative Societies and the officials of Apex Bank, Bijoynagar. It is also seen that several recurring bank deposit accounts have been opened for collection and transaction of the accounts, details of which are available in paragraph 10. It is also seen that majority of the amount which is received from the Government transactions have already been returned by the Samity. It is also seen from the records that investigation in the matter has almost been completed with the statements of witnesses have already been recorded. Taking into account the

length of detention of 32 days and other materials, this Court is of the considered view that the accused applicant can be released on bail at this stage.

9. Accordingly, it is directed that the accused applicant shall be released on bail forthwith on furnishing bail bond of Rs.50,000/- with a suitable surety of like amount to the satisfaction of the learned CJM, Kamrup (R) subject to the condition that the accused /applicant shall co-operate with the investigation and shall not try to hamper and tamper with the evidence, whatsoever.

10. In terms of the above observations, the bail application stands disposed of.

11. Send back the Case Dairy.

**JUDGE**

**Comparing Assistant**