GAHC010000162026

2026:GAU-AS:2622

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

Case No. : AB/12/2026

MS SHARMILA BORO AND 2 ORS
W/O- RAJENDRA PRASAD DAS
R/O- SRIMANTAPUR, H NO- 12, DIST- KAMRUP (M), PS AND PO- BHANGAGARH, ASSAM

2: PANKAJ PRASAD BORO
S/O- RAJENDRA PRASAD DAS
R/O- SRIMANTAPUR
H/NO-12
PO AND PS- BHANGAGARH
KAMRUP(M)
ASSAM

3: SRI RAJENDRA PRASAD DAS

S/O- BIRANDRA PRASAD DAS
R/O- SRIMANTAPUR
H. NO- 12
PO AND PS- BHANGAGARH
KAMRUP(M)
ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MS N SAIKIA, MR A SAIKIA,M P CHOUDHURY,MR M Z RAHMAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 20.02.2026

Heard Ms. N. Saikia, learned counsel appearing for the accused-applicants. Also heard Mr. R. J. Baruah, learned Addl. P.P., representing the State.

2. This is an application filed under Section 482 of BNSS, 2023, by the accused-applicants, seeking pre-arrest bail in connection with Sonapur Police Station Case No. 216/2025, registered under Sections 117(4)/103(2) of the BNS, 2023.

3. The allegation in the FIR dated 28.12.2025, lodged by one ASI Samin Nath is that one person suspected to be a thief was assaulted by a group of people, including the accused-applicant no. 2, the thief got severely injured and thereafter, while taking to the hospital he expired in the GMC Hospital.

4. Mr. R. J. Baruah, learned Addl. P.P. has produced the Case Diary before this Court and he submitted that there are allegations of involvement of the accused-applicant no. 2 in thrashing the thief.

5. The Case Diary produced has been perused by this Court. After hearing the submissions advanced by the learned counsel for the parties, this Court is of the considered opinion that the interim protection granted to the accused-applicants, vide order dated 07.01.2026 should be made absolute at this stage, as the accused-applicants have already appeared before the I/O and got their statements recorded.

6. Accordingly, the instant anticipatory bail application is disposed of by making the same absolute in the same terms and conditions mentioned in the order dated 07.01.2026.

7. In view of the aforesaid directions, the instant anticipatory bail application is

disposed of as allowed.

JUDGE

Comparing Assistant