GAHC010168992026

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

Case No. : AB/1755/2026

MRS TARULATA MALAKAR
W/O SRI NARAYAN MALAKAR. SONAI MIKIR PATH SATGAON
P.O.- UDAYAN BIHAR
P.S- SATGAON
GUWAHATI-71 DIST-KAMRUP (M) ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM.

Advocate for : MR. A BHATTACHARYA
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 05.10.2026

Heard Mr. Z. Kamar, learned Senior Counsel assisted by Ms. K. Malakar, learned Counsel for the petitioner and Ms. A Begum, learned Additional Public Prosecutor for the State.

2. By this application, the petitioner has prayed for pre arrest bail in connection with Satgaon PS Case No. 82/2026 registered under Sections 316(2)/318(2)/3(5) of BNS, 2023. The FIR in connection with which the petitioner is apprehending arrest was lodged by the members of a sangstha on 18.07.2026 stating inter alia that petitioner along with three others, who were holding positions in the said sangstha had misappropriated money deposited by 93 women in the said society. The informant further stated that the executive committee, which was held by the petitioner and three others had assured the members that funds would be credited every year with interest and would be disbursed to them when the same matures. Further, it is stated that two days before the day on which the annual settlement of accounts and distribution was scheduled, the treasurer of the society namely Smti Pratibha Das Medhi disappeared under suspicious circumstances. It was also stated that when they checked the available balance in the account of the sangstha, only Rs. 4000/- was shown as credited whereas the informant submits that en estimated amount of Rs. 10 crores should have been in the account of the society. The informant has also alleged that the son in law of the treasurer might be involved in the incident.

3. The learned Senior Counsel for the petitioner submits that the petitioner was Vice President of the Committee of the Sangstha and that no specific role

was stated against her in the said FIR. Further, he submits that the petitioner was enlarged on pre arrest bail by order dated 03.08.2026 on the condition that she should appear before the Investigating Officer within a period of ten days. The petitioner is alleged to have been committed an offence which entails the punishment which can extend to five years. He also submits that although in the FIR, the petitioner is stated to be the Vice President of the Committee, but he submits that the petitioner is only a member of the Committee and not the Vice President and she has no role in managing the monetary savings of the committee.

4. Ms. A Begum, learned Additional Public Prosecutor for the State, on the perusal of the Case Diary submits that the petitioner appeared before the Investigation Officer and her statement was recorded. She also submits that there are incriminating materials against the petitioner in the Case Diary showing her involvement in the offence. However, it is seen that the petitioner is cooperating with the investigation and as such, this Court deems it fit to make the order dated 03.08.2026 absolute on the further condition that the petitioner should abide by and follow the conditions mentioned in the said order dated 03.08.2026.

5. Petition is disposed of.

JUDGE

Comparing Assistant