GAHC010168992026

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

Case No. : AB/1774/2026

SMTI KABITA DEKA
W/O PRAFULLA CHANDRA DEKA
PERMANENT RESIDENT OF HOUSE NO. 34
BYE LANE NO. 4
ASHIRVAD PATH
SATGAON
UDAYAN VIHAR
UNDER SATGAON POLICE STATION
DISTRICT KAMRUP (METRO)
GUWAHATI- 781171
ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE LEARNED PP
ASSAM

Advocate for : MR. M K DAS
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 05.10.2026

Heard Mr. MK Das, 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 apprehends arrest was lodged by the members of the sangstha stating inter alia that the petitioner being the Secretary of the Sangstha as well as other members of the committee had misappropriated the money deposited by 93 women members of the said sangstha. The informant stated that two days before the annual settlement of accounts and distribution was scheduled, the treasurer suddenly disappeared under highly suspicious circumstances. It was also alleged that on checking the bank account of the society, only an amount of Rs. 4000/- was found credited and that the informant submits that it should actually have an amount of Rs. 10 crores as submitted by 93 members over the years to the said society. It is also alleged that the son in law of the treasurer might also be involved in the misappropriation.

3. The learned Counsel for the petitioner submits that the petitioner is only a Secretary of the Committee and although certain allegations are made that she had not disclosed the status of the money but she submits that she has no connection with the monetary affairs of the committee. She also submits that the petitioner was enlarged on interim pre arrest bail by order dated 05.08.2026 on the condition that the petitioner should appear before the Investigating Officer within a period of ten days.

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. However, on merits she submits that there are incriminating materials against the petitioner in respect of the said offence.

5. Upon consideration of the submissions made by the learned Counsels, more so in view of the fact that the main allegation is made against the treasurer, this Court deems it fit to make the order dated 05.08.2026 absolute with the further condition that the petitioner will appear before the Investigating Officer as and when called for and that she will not hamper, tamper with the evidence of the case or influence the witnesses connected with the case.

6. Petition is disposed of.

JUDGE

Comparing Assistant