GAHC010163402026

2026:GAU-AS:14904

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

Case No. : AB/1816/2026

TUTU MANI BARMAN ALIAS TUTU BARMAN
SON OF LATE ATUL BARMAN, RESIDENT OF VILLAGE NO. 2 KAPLABARI,
P. KAPLABARI, P.S.- MUKALMUA, DISTRICT- NALBARI, ASSAM, PIN 781138

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. K M HASSAN, T ISLAM,MR D BARMAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

06.10.2026

Heard Mr. K.M. Hassan, learned counsel for the applicant and also heard Mr. B. Sarma, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

2. Apprehending arrest in connection with Mukalmua P.S. Case No.108/2026,

registered under Section 316(2)/318(4)/61(2)(b)/3(5) of BNS, 2023, read with Sections 13/14 of the Assam Game and Betting Act and Sections 21/23 of Banning of Unauthorized Deposit Scheme Act, 2019, this application, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is preferred by the applicant, namely, Tutu Mani Barman @ Tutu Barman, for grant of the privilege of pre-arrest bail.

3. It is to be noted here that the above noted case has been registered on the basis of one FIR lodged by ASI Satyendra Malakar of Daulasal Out Post, Mukalmua P.S., on 30.07.2026. The essence of allegation, made in the FIR dated 30.07.2026, is that acting on tip off, the informant and other police staff conducted search in the house of Kalachand Ali as well as other associates, namely, Atowar Rahman and Tutu Barman and from the house of Atowar Rahman, a sum of Rs.1,67,900/-, gambling materials and a vehicle were recovered and from the residence of Kalachand Ali, also a sum of Rs.1,90,800/-, a motorcycle and unauthorized financial documents such as, multiple used and unused passbooks operating without any maintaining certificate from RBI or SEBI and used passbooks and fresh passbooks were recovered.

4. Mr. Hassan, learned counsel for the applicant submits that the applicant was granted the privilege of interim pre-arrest bail by this Court vide order dated 10.08.2026 and pursuant to the said order he had appeared before the I.O. and his statement is also recorded and since he has been cooperating with the investigating agency, the interim order dated 10.08.2026 may be made absolute in the same terms and conditions.

5. Per contra, Mr. B. Sarma, learned Additional P.P. has produced the case diary before this Court and submits that though the statement of the applicant is not available on the record, the interim order passed by this Court and the bail bond is available.

6. Having heard the submission of learned counsel for both the parties, this Court has carefully gone through the petition and the documents placed on record and also

perused the case diary with the assistance of Mr. Sarma, learned Addl. P.P.

7. In view of the cooperation, being extended by the applicant with the investigating agency, as well as the progress of investigation, custodial interrogation of the applicant seems to be not warranted here in this case. And accordingly, the interim order, dated 10.08.2026, is hereby made absolute, in the same terms and conditions.

8. Case diary be returned.

Sd/- *Robin Phukan*
JUDGE

Comparing Assistant