GAHC010194272026

2026:GAU-AS:14844

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

Case No. : Bail Appln./2696/2026

SHANTO DAS
SON OF LATE DEBENDRA DAS, RESIDENT OF VILLAGESOLIGRAM, POST OFFICEKALAIN, POLICE STATIONKALAIN, DISTRICT- CACHAR, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. M AHMED, MR A HAI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

05.10.2026

1. Heard Mr. M. Ahmed, learned counsel appearing for the petitioner. Also heard Ms. A. Begum, learned APP appearing for the State of Assam.

2. By this application, the petitioner has prayed for bail in connection with Sessions Case No. 103/2026 arising out of Bazaricherra P.S. Case No. 77/2025 registered under Sections 331(8)/310(2)/118(2) of the BNS, 2023 pending

before the learned Additional Sessions Judge, Sribhumi.

3. The FIR in connection with which the petitioner was arrested was lodged on 26.05.2025 by the victim stating *inter alia* that when he and other members of his family had gone to sleep, there was a knock on the main door. When his father opened the door 6 to 7 persons armed with weapons and with their faces covered entered the house and assaulted his father. The informant further stated that when he opened the door the accused persons tied his hands and legs and confined him. He further stated that thereafter the accused persons looted various articles from the house and upon a hue and cry being raised fled from the place of occurrence. Upon completion of the investigation, the police submitted the charge sheet and cognizance was taken against the petitioner along with the other accused persons in connection with the said offence.

4. The learned counsel appearing for the petitioner submits that the petitioner had already been enlarged on bail in connection with another case and that thereafter he was shown arrested in the present case. He further submits that the petitioner has been implicated in the present case only on the basis of suspicion.

5. On the other hand, Ms. A. Begum, learned APP upon perusal of the case diary submits that there are materials against the petitioner. She further submits that as reflected in the statements of the other co-accused persons the petitioner is stated to be the prime accused in the commission of the offence.

6. Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that the petitioner has been in custody for the last 1 year and 2 months that the charge sheet has already been submitted and the trial is likely to commence shortly and also considering the fact that the

petitioner was arrested primarily on the basis of suspicion and the statements of the co-accused persons, this Court is inclined to enlarge the petitioner on bail. Accordingly, the petitioner is enlarged on bail on furnishing a bail bond of Rs. 20,000/- (Rupees twenty thousand) with one local surety of the like amount to the satisfaction of the learned Additional Sessions Judge, Sribhumi subject to the following conditions:

(i) The petitioner shall appear before the Investigating Officer as and when called for,

(ii) The petitioner shall not hamper and tamper with the evidence of the case, and/or influence the witnesses;

(iii) The petitioner shall not leave his place of residence without the prior permission of the Investigating Officer and (iv) the petitioner is found involved in any offence during the period of bail, the bail granted to him shall be liable to be cancelled.

7. Accordingly, this Bail Application stands disposed of.

JUDGE

Comparing Assistant