GAHC010210772026

2026:GAU-AS:14847

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

**Case No. : Bail Appln./2984/2026**

SRI HARI KARKI AND 4 ORS.
S/O LATE LAXMAN KARKI R/O TEKELIAKUR GRANT P S SIPAJHAR P O BAZANA PATHAR DISTRICT DARRANG ASSAM PIN 784145

2: SRI MONUJ CHUBBA
S/O SRI KRISHNA CHUBBA R/O KHALIHOIPATHAR P S SIPAJHAR P O BAZANA PATHAR DISTRICT DARRANG ASSAM PIN 784145

3: SRI SUMAN CHETRY @ SIRPALI
S/O SRI HARKA CHETRY R/O KHALIHOIPATHAR P S SIPAJHAR
PO BAZANA PATHAR DISTRICT DARRANG ASSAM PIN 784145

4: SRI RUPAK BARAL
S/O SRI PRAJAPATI BARAL R/O KHALIHOIPATHAR P S SIPAJHAR P O BAZANA PATHAR DISTRICT DARRANG ASSAM PIN 784145

5: SRI OMPRAKASH GAUTAM
S/O SRI RUDRA CHETRY R/O TEKELIAKUR GRANT P S SIPAJHAR P O BAZANA PATHAR DISTRICT DARRANG ASSAM PIN 784145
PH. NO. 94351-4785

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner** : MR A R MEDHI,

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**
**HONOURABLE MRS. JUSTICE SHAMIMA JAHAN**

**ORDER**

**05.10.2026**

**1.** Heard Mr. A.R. Medhi, learned counsel appearing for the petitioners. Also heard Mr. R.J. Baruah, learned APP appearing for the State of Assam.

**2.** By this application the petitioners have prayed for bail in connection with Sipajhar P.S. Case No. 143/2026 registered under Sections 126(2), 117(2), 109 and 3(5) of the BNS, 2023.

**3.** The FIR in connection with which the petitioners were arrested on 03.09.2026 was lodged by the father of the victim stating *inter alia* that while his son was driving, he met with an accident involving a schoolgirl. Apprehending that the girl might have sustained injuries his son attempted to commit suicide at home. Thereafter, while the informant and other family members were taking the victim to the hospital, the petitioners travelling in a vehicle reached a particular spot stopped the vehicle and assaulted the victim. Thereafter, the informant took the victim to the hospital and admitted him.

**4.** The learned counsel appearing for the petitioners submits that the story narrated in the FIR is a concocted one. It is further submitted that upon finding the victim at the place of occurrence where the girl had sustained some injuries the members of the public in the locality might have stopped the vehicle.

**5.** Mr. R. J. Baruah, learned APP, on perusal of the case diary submits that the post-mortem report reveals that the victim died due to hanging and that no injuries were found on the body of the victim.

**6.** Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that no injuries were found on the body of

the victim, this Court is inclined to enlarge the petitioner on bail. Accordingly, the petitioner shall be released 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 CJM, Mangaldoi 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; and

(iii) The petitioner shall not leave his place of residence without the prior permission of the Investigating Officer.

**7.** Accordingly, this Bail Application stands disposed of.

**JUDGE**

**Comparing Assistant**