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2026:GAU-AS:14931

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

Case No. : Bail Appln./2960/2026

AKASH PRASAD ALIAS PRASHAD
SON OF LATE DILIP PRASHAD RESIDENT OF VILLAGE NAYA GHAGRA
BAGAN PO GOHPUR PS GOHPUR DISTRICT BISWANATH ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. D K BAIDYA, P MAZUMDAR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 06-10-2026

1. Heard Mr. A.M. Bora, learned Sr. Counsel assisted by Mr. D.K. Baidya, learned counsel appearing for the accused-applicant. Also heard Mr. M.P. Goswami, learned Addl. P.P, Assam appearing for the State.

2. This is an application filed under Section 483 of the BNSS, 2023, praying for grant of bail to the accused-applicant, namely **Akash Prasad @Prashad** in connection with **Gohpur P.S. Case No.129/2026** registered

under Sections **61(2)/318(4)/316(2)/319(2)** of the BNS, 2023.

3. An FIR was lodged on 22.08.2026 before the Officer-in-Charge of Gohpur Police Station by one Gurman Singh alleging, *inter-alia,* that he had been induced to part with a sum of Rs.9,00,000/- in cash by a person identifying himself as Raju Mistri, on the pretext of selling gold; that on 22.08.2026, two persons were apprehended near Swahid Kanaklata Baruah Civil Hospital, Gohpur, from whose possession a golden coloured metal, suspected to be fake gold and weighing approximately 500 grams was recovered and that the aforesaid two persons were identified later on as Mustafa Ahmed @ Raju Mistri and Hajrat Ali. Both of them have been named in the FIR as accused persons. On the basis of the FIR, police registered Gohpur P.S. Case No.129/2026.

4. The learned Sr. Counsel appearing for the accused-applicant submits that the accused-applicant was arrested on the basis of mere statement made by the accused persons on 24.08.2026. However, he has nothing to do with the business of fake gold and inducing vulnerable public. He submits that since the main accused has already been granted bail by a coordinate Bench of this Court and the involvement of the accused-applicant in the instant case is doubtful, he should be also granted bail at this stage, since he has already spent 45 days behind the bars.

5. Mr. M.P. Goswami, learned Addl. P.P, on the other hand, opposes the prayer for bail of the accused-applicant.

6. The case diary in the instant case has been received and the same has been perused.

7. Taking into account the fact the accused-applicant has already spent

45 days behind the bars and the prime accused persons named in the FIR have already been granted bail by a coordinate Bench of this Court, this Court is of the considered opinion that the prayer of the accused-applicant for grant of bail should be allowed.

8. Accordingly, it is directed that the accused-applicant, named above, shall be released forthwith from jail on furnishing of a bail bond of Rs.30,000/- (Rupees Thirty Thousand only) with a suitable surety of like nature to the satisfaction of the learned S.D.J.M.(M), Gohpur, Biswanath, subject to the condition that the accused-applicant shall cooperate with the investigation and make himself available as and when called for by the Investigating Officer.

9. In terms of the aforesaid directions, the instant bail application is disposed of.

JUDGE

Comparing Assistant