GAHC010213032026

2026:GAU-AS:15042

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

Case No. : Bail Appln./2996/2026

ANWAR HUSSAIN
SON OF LATE ABDUL MATLIB
RESIDENT OF VILL- BILBARI, P.S. RAMKRISHNA NAGAR, P.O. ANIPUR
DIST. SRIBHUMI, ASSAM, PIN- 788734

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. P K ROYCHOUDHURY, MR K UDDIN,MR. N HAQUE

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 07.10.2026

Heard Mr. P.K. Roychoudhury, learned Senior Counsel, assisted by Mr. K. Uddin, learned counsel appearing for the accused-applicant. Also heard Ms. A. Begum, learned Addl. P.P., representing the State respondent.

2. This is an application under Section 483 of the BNSS, 2023, praying for

granting bail to the accused-applicant in connection with Patharkandi Police Station Case No. 126/2026, registered under Sections 61(2)/127(7)/140(3)/198/309(4)/310(4) of BNS, 2023.

3. An FIR was lodged on 16.09.2026, before the Officer-in-Charge, Patharkandi Police Station to the effect that one Sanjib Paul appeared before the police station and reported that he had handed over an amount of Rs. 25,000,000/- (Rupees Twenty-Five Lakhs) to one Sanku Deb for delivering the same amount to his business associate at Dharmanagar. At about 11:35 AM, Sanku Deb caught Silchar-Agartala train from Karimganj Railway Station and arrived at Patharkandi Railway Station carrying a cash of Rs. 25,000,000/-. It is alleged that when the train arrived at the Patharkandi Railway Station, five unknown persons intercepted him and forcibly took him towards Chandkhira side in a Bolero vehicle and took away an amount of Rs. 14, 00,000/- (Rupees Fourteen Lakhs) out of the total cash which he had carried. It is alleged that two persons were wearing khaki dress and one person was wearing white-colored dress. It is alleged that the remaining Rs. 11, 00,000/- (Rupees Eleven Lakhs) was not taken away from him. It is alleged that Sanku Deb could not furnish the names and addresses of the miscreants, but he would be able to identify the miscreants.

4. On the basis of the FIR, police registered Patharkandi P.S. Case No. 126/2026, under the aforesaid sections.

5. The learned Senior Counsel submits that the accused-applicant is a Lance Naik, and he has, in fact, accompanied one Dulu Ahmed on the direction of his superior, SI (UB) Nganthoiba Singha. Therefore, he submits that the accused-applicant never had the intention, either to snatch the amount or do any illegal activity there, but had gone there only on the direction of his superior. Therefore, his involvement in the alleged FIR is not made out. He further submits that the

accused-applicant has already spent 24 days behind the bars, and his further custodial detention in the instant matter may not be required.

6. On the other hand, Ms. A. Begum, learned Addl. PP, has opposed the prayer for bail of the applicant, submitting that the accused-applicant is involved and they had the intention of snatching the amount and sharing the amount among themselves.

7. This Court has considered the submissions made by the learned counsel appearing for the respective parties, as well as considered the materials available in the Case Diary.

8. Taking into account the statements of the witnesses made before the police, as well as other materials available in the Case Diary, and having found sufficient *prima facie* incriminating materials against the accused-applicant, this Court is not inclined to grant any relief to the accused-applicant at this stage.

9. Accordingly, the instant bail application is rejected.

10. Case Diary to be returned.

JUDGE

Miriam Degu
(SPA)