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2026:GAU-AS:14944

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

Case No. : AB/2469/2026

SUNESWAR BORO
S/O NAREN BORO, R/O VILL NO 2 DHANMARA, PO GARUBANDHA, PS MISSAMARI, DIST SONITPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR D MEDHI, MR P SONOWAL

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 06.10.2026

Heard Mr. D. Medhi, the learned counsel for the petitioner and Mr. D. P. Goswami, the learned Addl. Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for pre-arrest bail in connection with Missamari P.S. Case No. 62/2026, registered under Sections

316(2)(5)/318(3) of BNS, 2023.

3. The FIR in connection with which the petitioner is apprehending arrest was lodged by the Deputy Director of Food, Public Distribution and Consumer Affairs Department, Sonitpur, stating inter alia, that, an agreement was entered into by the Government of Assam with the various mills for supply of FCI Paddy/Rice Mill had consumed less than the required electricity, while supplying 432 quintals of paddy and as such, it is suspected that petitioner has been delivering rice from other sources.

4. The learned counsel for the petitioner submits that the petitioner's Mill is located in the rural area, where power cuts are very frequent and as such, generators are used for milling of the rice and as such, less consumption of electricity is shown.

5. On the other hand Mr. D. P. Goswami, the learned APP submits that the allegations is writ large in the FIR and has prayed for calling of the Case Diary.

6. On consideration of the submissions made by the learned counsels, more so in view of the pleadings made in the petition that generators were used by the petitioner, this Court enlarges the petitioner on pre-arrest bail on furnishing of a bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with one surety of the like amount to the satisfaction of the Arresting Authority under the following conditions:

(i) The petitioner shall appear before the IO within 10 days from the date of the order and thereafter, as and when call for.

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

(iii) The petitioner shall not leave their residence without prior permission of the Arresting Authority.

7. The AB Application stands disposed of.

JUDGE

Comparing Assistant