GAHC010241142026

2026:GAU-AS:16095

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

Case No. : Bail Appln./3147/2026

SAJAL SUKLABAIDYA
S/O. LATE SUDESWAR SUKLABAIDYA
R/O. VILLAGE NARAYANPUR
P.S. PATHARKANDI
DISTRICT SRIBHUMI
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P.
ASSAM.

Advocate for : MRS. S D CHOUDHURY
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : *03.11.2026*

Heard Ms. S. D. Choudhury, learned counsel for the accused applicant. Also heard Mr. K. K. Das, learned Addl. Public Prosecutor for the State of Assam.

2. This is an application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying for the grant of bail to the accused applicant, in connection with Patharkandi P.S. Case No. 126/2026, registered under Sections 61(2)/127(7)/140(3)/198/309(4)/310(4) of the Bharatiya Nyaya Sanhita (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 counsel for the accused applicant that the accused applicant

is a constable and that, on the instructions of SI (UB) Nganthoiba Singha, he had accompanied one Dulu Ahmed to the place of occurrence. She further submits that the accused applicant had no intention of being involved in the alleged offence and had no intention of snatching any money from aforesaid Sanku Deb. She also submits that, being a police officer himself, there is no likelihood of his absconding or evading the process of law, and therefore, he does not pose any flight risk. She further submits that he has already been behind bars for the last 48 days, further custodial detention of the accused applicant may not be required in the instant case. Therefore, he prays that the accused applicant be granted bail at this stage.

6. The Case Diary has been received and the same is perused.

7. Mr. Das, learned Addl. P.P., on the other hand, opposes the prayer for bail, referring to the materials available in the Case Diary, submits that the involvement of the accused applicant is apparent from the materials on record. He further submits that Rs. 1 lakh, which was allegedly given to the accused applicant by the S.I., namely, Nganthoiba Singha, has been recovered from his possession, which clearly indicates his involvement in the present case. The learned Addl. P.P. further submits that Sanku Deb, from whom the money was allegedly snatched, had, in fact, identified the accused applicant as one of the persons involved in the snatching of the said money.

8. This Court has considered the submissions made by the learned counsel appearing for the respective parties and has also perused the materials available in the Case Diary. Upon taking into consideration the materials available on record and finding sufficient *prima facie* incriminating material indicating the

involvement of the accused applicant in the alleged offence, as narrated in the FIR, this Court is not inclined to grant bail to the accused applicant at this stage. Accordingly, the bail application stands rejected.

9. In view of the above, the instant bail application is dismissed.

10. Case Diary be returned.

JUDGE

Comparing Assistant