GAHC010219532026

2026:GAU-AS:15420

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

Case No. : AB/2498/2026

MANISH KUMAR PANDEY
S/O AGNI JYOTI PANDAY R/O HOUSE NO 7 BILSON RABHA PATH
ODALBAKRA PO KAHILIPARA PS FATASHIL AMBARI DIST KAMRUP

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PP, ASSAM

2:HENAZ CHOUDHURY
D/O LATE ABDUL HANNAN CHOUDHURY R/O HOUSE NO. 9 PANJABARI
FAKARUDDIN ALI AHMED NAGAR PO PANJABARI PS DISPUR DIST
KAMRUP (M) ASSA

Advocate for the Petitioner : MR. M ALI, MR. J UDDIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 12.10.2026

Heard Mr. M. Ali, learned counsel for the applicant. Also heard Ms. S.H. Bora, learned Additional Public Prosecutor for the State respondent.

2. Apprehending arrest in connection with Paltanbazar P.S. Case No.

220/2026, under Section 69 of the BNS, 2023, this application under Section 482, BNSS is preferred by applicant, namely, Manish Kumar Pandey, for grant of pre-arrest bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of an FIR lodged by one Mousumi Choudhury (actual name withheld) on 22.08.2026. The essence of allegation in the aforesaid FIR dated 22.08.2026, is that she has a relation with one Manish Pandey, who is a married person and he promised to marry her after divorcing his first wife, and therefore, she continued the relationship with him for last two months. Subsequently, she became pregnant and said Manish Pandey took her for medical examination, but after medical examination, he started avoiding her and stopped receiving her calls and refused to take responsibility, and then when she approached him, he drove her out of his house and abandoned her.

4. Mr. Ali, learned counsel for the applicant submits that the matter has been settled between the informant and the applicant, and as such, the applicant may be granted the privilege of pre-arrest bail.

5. On the other hand, Ms. Bora, learned Additional Public Prosecutor has produced the case diary before this Court and referring to the statement of the victim, she submits that now the matter has been settled.

6. Having heard the submissions of learned Advocates of both sides, this Court has carefully gone through the application and the documents placed on record and also perused the case diary produced by Ms. Bora, learned Additional Public Prosecutor.

7. Perusal of the case diary reveals that the informant/victim in her statement recorded, under Section 183 of the BNSS, 2023, has not implicated the applicant

with the offence alleged in the FIR, and it also appears that they have settled the dispute amicably.

8. In that view of the matter, this Court is inclined to allow this application. Accordingly, it is provided that in the event of arrest of the applicant in connection with Paltanbazar P.S. Case No. 220/2026, under Section 69 of the BNS, 2023, he shall be released on pre-arrest bail on executing a bond of Rs. 25,000/- with one surety of like amount to the satisfaction of the arresting authority. The above privilege is, however, subject to the following conditions:

(i) The applicant shall make himself available for interrogation by the Investigating Officer as and when required;

(ii) The applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and

(iii) The applicant shall not leave the jurisdiction of the learned Chief Judicial Magistrate, Kamrup(M), Guwahati without prior permission.

9. In terms of above, this application stands disposed of.

10. Case diary be returned.

JUDGE

Comparing Assistant