GAHC010219752026

2026:GAU-AS:14950

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

**Case No. : AB/2492/2026**

JIAB UDDIN LASKAR
S/O LATE MUSABBIR ALI LASKAR, R/O VILL SYAMPUR, PS KATLICHERA, DIST HAILAKANDI, ASSAM

VERSUS

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

**Advocate for the Petitioner** : MR. A TALUKDAR, D A SERENG,H ALAM,MR. P KASHYAP,MR. S K TALUKDAR

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**
**HONOURABLE MRS. JUSTICE SHAMIMA JAHAN**

**ORDER**

**06.10.2026**

**1.** Heard Mr. H. Alam, learned counsel appearing for the petitioner. Also heard Mr. D.P. Goswami, learned APP appearing for the State of Assam.

**2.** By this application the petitioner has prayed for pre-arrest bail in connection with Katlichera P.S. Case No. 90 of 2026 registered under Sections 316(2)/318(4)/61(2) of the BNS, 2023.

**3.** The FIR in connection with which the petitioner is apprehending arrest was lodged by one Smt. Sakiya Khatun Majumder stating *inter alia* that a house had been allotted in her name under the Pradhan Mantri Awas Yojana (PMAY-G). It was further alleged that after the said allotment, the other accused persons named in the FIR through the petitioner demanded an illegal bribe from her and when the demand was not acceded to they along with the petitioner transferred a portion of the amount to which she was entitled to the job cards of other persons and misappropriated the same.

**4.** The learned counsel appearing for the petitioner submits that the allegations narrated in the FIR are concocted and further submits that it is not possible for any person to transfer the amount sanctioned in favour of the informant to the account of any other person.

**5.** On the other hand, Mr. G. P. Goswami, learned APP submits that there are specific allegations against the petitioner to the effect that he had demanded an illegal bribe from the informant and that the amount was thereafter embezzled by the petitioner and other accused persons.

**6.** Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that the transfer of the amount sanctioned in favour of the informant under the Pradhan Mantri Awas Yojana to the account of another person appears *prima facie* to be an impossibility, this Court is inclined to grant the privilege of pre-arrest bail to the petitioner. Accordingly, in the event of his arrest the petitioner shall be released on bail on furnishing a bail bond of Rs. 20,000/- (Rupees twenty thousand) with one local surety of the like amount to the satisfaction of the Arresting Authority subject to the following conditions:

(i) The petitioner shall positively appear before the Investigating Officer within a period of 10 days from today and corporate with the investigation without any failure,

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

(iii) The petitioner shall not leave his residence without prior permission of the Investigating Officer.

**7.** Accordingly, this Anticipatory Bail application is disposed of.

**JUDGE**

**Comparing Assistant**