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

Case No. : AB/2496/2026

RAMJAN ALI
SON OF BARHAN ALI, RESIDENT OF VILLAGE BARDHAP, MERUATTARI, P S MUKALMUA, DISTRICT NALBARI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR H R A CHOUDHURY, S NAZNIN,MR. I U CHOWDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

12.11.2026

Heard Mr. I.U. Choudhury, learned counsel for the applicant and also heard Mr. R.J. Baruah, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

2. Apprehending arrest in connection with Mukalmua P.S. Case No.140/2026, under Section 319(2)/318(4)/308(6)/308(7)/317(4)/112/61(2)(a)/351(2)/351(3)/3(5)/3(6)/3(8)/

3(9) of the Bharatiya Nyaya Sanhita (BNS), 2023, this application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is preferred by the applicant, namely, Ramjan Ali, for grant of the privilege of pre-arrest bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of one FIR, lodged by S.I. Dipak Barkakati of Mukalmua Police Station, on 05.09.2026. The essence of allegation made in the FIR, dated 05.09.2026, is that one Ashik Ali, Iftikar Ali @ Xaru, Rubul Ali, Nazrul Ali and others, functioning as a group and gang, in conspiracy with one another and with unknown others, in furtherance of common intention and common object, in the area around the precints of Mukalmua Police Station, by deceit and personating as Advocates and Officials, extorting money and cheating public. They often, by stopping people near the police station, forced the parties to settle the dispute and thereby they obtained money from them and also threatened them for false criminal prosecution.

4. Mr. Choudhury, learned counsel for the applicant submits that the applicant is innocent and no way involved with the offence alleged in the FIR and his name is not there in the FIR and earlier occasion also, he preferred one application, being AB No.2260/2026 and this Court vide order dated 25.09.2026 was pleased to dismiss the petition after going through the case diary and that after dismissal of the petition about 2 months elapsed and in the meantime, the investigation might have been completed and that the applicant is ready to cooperate with the investigating agency and therefore, it is contended to allow this application.

5. Per contra, Mr. Baruah, learned Additional P.P. submits that though he was directed to produce the case diary before this Court, yet, he has not received the same and as per his instruction, the I.O. has completed investigation and submitted charge-sheet, being Charge-Sheet No.182/2026, dated 30.10.2026.

6. In view of the submission of learned counsel for both the parties, this Court is

inclined to dispose of this application by directing the applicant to appear before the Court of learned Chief Judicial Magistrate, Barpeta and to apply for regular bail and in the event of filing such an application, the learned Court below shall consider the case in accordance with law.

7. It is further provided that till then, in the event of arrest of the applicant, namely, Ramjan Ali, in connection with Mukalmua P.S. Case No.140/2026, under Section 319(2)/318(4)/308(6)/308(7)/317(4)/112/61(2)(a)/351(2)/351(3)/ 3(5)/3(6)/3(8)/3(9) of the Bharatiya Nyaya Sanhita (BNS), 2023, the applicant shall be enlarged on interim pre-arrest bail on his executing a bond of Rs.20,000/- 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 appear before the learned Court below on or before 30.11.2026 and shall apply for regular bail;

(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 C.J.M., Nalbari, without prior permission.

8. In terms of above, the anticipatory bail application stands disposed of.

Sd/- *Robin Phukan*
JUDGE

Comparing Assistant