GAHC010222652026

2026:GAU-AS:14897

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

**Case No. : AB/2500/2026**

MITHUN SORONGPONG
C/O GOBINDA SORONGPONG SHIBRAIPUR, RO LANGTING BAZAR
LANGTING HAFLONG, DIMA HASAO DIST, ASSAM, PIN 788832

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner** : MR D MEDHI, MR K THAKUR

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

**BEFORE**
**HON'BLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**06.10.2026**

Heard Ms. S. Yasmin, learned counsel for the applicant and also heard Mr. P. Borthakur, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

**2.** This application, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita

(BNSS), 2023, is preferred by the applicant, namely, Mithun Sorongpong, who has been apprehending arrest in connection with Tamil Nadu Namakkal District Cyber Crime Police Case No.06/2026, under Section 318(4) of the Bharatiya Nyaya Sanhita (BNS), 2023, read with Section 66D of the I.T. Act, 2008, for granting transit pre-arrest bail.

**3.** Ms. Yasmin, learned counsel for the applicant submits that the applicant hails from Dima Hasao District and for his avocation he has been residing at Guwahati and on 19.09.2026, while he visited his native place at Dima Hasao, he came to know from his family members that his family members received two notices dated 05.06.2026 and 09.09.2026 in connection with the aforementioned Cyber Crime Police Case No.06/2026, and that the applicant could not appear before the aforesaid police station and also could not apply for regular pre-arrest bail as he resides at Guwahati and he only came to know about the notices on 19.09.2026, and that he will appear before the aforesaid police station and he will also apply for regular anticipatory bail application and till then, the applicant may be granted the transit pre-arrest bail for a limited period. The learned counsel for the applicant has also referred to a decision of Hon'ble Supreme Court in the case of **Priya Indoria v. State of Karnataka and Ors. etc.**, reported in **(2024) 4 SCC 749**, special to paragraph No.102 of the aforementioned decision.

**4.** Per contra, Mr. Borthakur, learned Additional P.P. submits that the applicant has to demonstrate extraordinary circumstances, for which the applicant could not apply for regular anticipatory bail before the Court of competent jurisdiction. And therefore, he has contended to dismiss this petition.

**5.** Having heard the submission of learned counsel for both the parties, this Court has carefully gone through the petition and the documents placed on record and also perused the notices dated 05.06.2026 and 09.09.2026.

**6.** It appears that the said notices were issued under Section 35(3) of the BNSS,

2023 and it also appears that the case has been registered under Section 318(4) of BNS, read with Section 66(D) of the I.T. Act, 2008 and the punishment prescribed for the said offences are three years. And having considered the submission of learned counsel for both the parties and also considering the nature and gravity of the offences, this Court is inclined to allow this application.

7. The applicant is directed to appear before the Court of competent jurisdiction on or before 26.10.2026 and to file regular anticipatory bail application. And it is further provided that in the event of arrest of the applicant, he shall be released on interim pre-arrest bail, on his 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 three conditions:-

**(i)** The applicant shall appear before the Court of competent jurisdiction on or before 26.10.2026.

**(ii)** The applicant shall not make any inducement, threat or promise to any person, directly or indirectly, 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 Court of competent jurisdiction, without prior permission.

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

**Sd/-** *Robin Phukan*
**JUDGE**

**Comparing Assistant**