GAHC010224272026

2026:GAU-AS:17076

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

Case No. : AB/2593/2026

SRI MANASH BORAH AND ANR
SON OF SRI UMESH BORAH, RESIDENT OF VILLAGE KALMOUBARI, P O SUKDAL SARUBORI, P S MIKIRBHETA, DISTRICT MORIGAON, ASSAM, PIN 782104.

2: SRI UMESH BORAH
SON OF LATE KAMAL BORAH
RESIDENT OF VILLAGE KALMOUBARI
P O SUKDAL SARUBORI
P S MIKIRBHETA
DISTRICT MORIGAON
ASSAM
PIN 78210

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. A B ACONDA, MR. K M HASSAN,MR. J A AHMED
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

19.11.2026

1. Heard Mr. A. B. Aconda, learned counsel for the petitioners and Mr. D. P. Goswami, learned Additional Public Prosecutor for the State.

2. This petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner, namely, **Manash Borah and Umesh Borah,** has prayed for granting pre-arrest bail, apprehending arrest in connection with **Mikirbheta P.S. Case No. 138/2026**, registered under **Section 61(2)/296/117(2) / 118(2)/109/329(4)/351(2)/351(3) of BNS, 2023** (corresponding to GR No. 1016/2026).

3. The allegation in the FIR dated 01.09.2026 names both the petitioners and alleges commission of serious assault leading to grievous injuries upon the informant's husband (petitioner No.1). There is no allegation of assault in the FIR with regard to petitioner No.2, though it is alleged that he came to their house and threatened them making provocative remarks.

4. The case diary as called for and has been received.

5. The learned Additional Public Prosecutor submits that he is not seriously opposing the bail of the petitioner No.2 but the investigation apart from supporting the FIR has also revealed incriminating materials against the petitioner No.1 and that the victim has suffered serious cut injuries and almost severing of his ear and he is under treatment.

6. In these circumstances, it may not be prudent to grant the privilege of anticipatory bail to petitioner No.1 and therefore, his bail prayer is **rejected**.

7. It is submitted that the petitioner No.2 was granted interim bail vide order dated 12.10.2026.

9. Accordingly, the interim pre-arrest bail granted to the petitioner

No.1, vide order, dated 12.10.2026 is hereby made **absolute**, with regard to the same conditions.

9. Accordingly, this anticipatory bail application stands partly **allowed** and **disposed of**.

10. Return the case diary.

JUDGE

Comparing Assistant