GAHC010226062026

2026:GAU-AS:15377

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

**Case No. : AB/2612/2026**

JITUMONI KALITA AND 2 ORS
, S/O- NARAKANTA KALITA, R/O- BIDYANAGAR, P.O.-KHETRI, P.S.-KHETRI, DIST.-KAMRUPM, ASSAM, PIN-782403

2: SAGAR KALITA
S/O-NARA KANTA KALITA
R/O- BIDYANAGAR
P.S.-KHETRI
DIST.-KAMRUPM
ASSAM
PIN-782403

3: NARAKANTA KALITA
S/O- LATE SEVA RAM KALITA R/O- BIDYANAGAR
P.S.-KHETRI
DIST.-KAMRUPM
ASSAM
PIN-78240

VERSUS

THE STATE OF ASSAM
REPRESENTED BY LEARNED P.P., ASSAM.

**Advocate for the Petitioner** : MR. S AHMED, MR. A S AHMED,T UDDIN

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

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

**ORDER**

**12.10.2026**

**1.** Heard Mr. S. Ahmed, learned counsel appearing for the petitioners. Also heard Mr. B. Sharma, learned APP appearing for the State of Assam.

**2.** By this application the petitioners have prayed for pre-arrest bail in connection with Khetri P.S. Case No.106/2026 registered Under Sections 406/418/420/506 of the IPC.

**3.** The copy of the complaint in connection with which the petitioners are apprehending arrest reveals that the petitioners had induced the complainant and others to open a society, namely, Unnati Trading and Co-operative Society Limited. Petitioner Nos. 1 and 2 are stated to be the President and Secretary of the said society, respectively, while Petitioner No. 3 is the father to Petitioner Nos. 1 and 2. The complainant further alleged that the society was formed and that the complainant and others were members thereof. Money was collected from the members of the public in the name of the society, however, the amounts so collected were allegedly not deposited into the account of the society and were misappropriated by the petitioners.

**4.** The learned counsel appearing for the petitioners submits that the complainants are also members of the said society and that the allegations of misappropriation of money levelled against the petitioners are concocted. He further submits that on an earlier occasion the police personnel of the concerned police station had registered an FIR against the petitioners in connection with which the petitioners were released on bail.

**5.** Mr. B. Sharma, learned APP on the other hand submits that the complaint

reveals the commission of organized crime by the petitioners who allegedly misappropriated the money collected from the members of the public.

**6.** Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that a similar case had been instituted earlier against the petitioners and that the present complaint has been lodged in connection with the affairs of the said society for the second time, this Court deems it fit to enlarge the petitioners on bail. Accordingly, the petitioners shall be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) each with one local surety each for a like amount to the satisfaction of the Arresting Authority subject to the following conditions:

(i) The petitioners shall positively appear before the Investigating Officer within a period of 15 days from today and cooperate with the investigation without any failure,

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

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

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

**JUDGE**

**Comparing Assistant**