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

Case No. : AB/2597/2026

SRI MILAN BORAH
SON OF SRI BOGAL BORAH RESIDENT OF PUB DHARAPUR
JONGARABORI POST OFFICE DHARAPUR POLICE STATION AZARA
DISTRICT KAMRUP METROPOLITAN ASSAM PIN 781017

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR M H AHMED, R ALI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 12.10.2026

Heard Mr M. H. Ahmed, the learned counsel for the petitioner and Mr. R. J. Baruah, the learned Addl. Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for pre-arrest bail in

connection with Helem P.S. Case No. 70/2026, registered under Sections 303(2) 351(3) as well as 3(5) of the BNS, 2023.

3. The FIR in connection with which the petitioner is apprehending arrest was lodged by one Jayanti Das, stating *inter alia* that, petitioner has been extending various kinds of threats and intimidations to the applicant over phone for a long time and that the petitioner no. 2, claiming himself as a advocate, filed a case against the applicant under the N.I. Act. It is also stated that, the accuse no. 1 arrayed in the FIR is her own bother and that her own brother, had stolen two numbers of cheques of the informant. The informant also stated that the petitioner used to give illicit gesture to her over phone.

4. The learned counsel for the petitioner submits that the money was taken by the informant from the petitioner and that due to non-payment; the petitioner had instituted the NI Case. He submits that the rest of the allegations made against the petitioner is concocted in nature.

5. Mr. R. J. Baruah, the learned Addl. Public Prosecutor for the State, on the other hand submits that the allegations are writ large in the FIR against the petitioner and as such, he prays that the Case Diary be call for and the entire gamut of the case be seen.

6. Upon consideration of the submissions made by the learned counsels, more so in view of the fact that, the NI case was pending between petitioner and the applicant and in the second FIR, no criminal acts were stated against the petitioner, this Court enlarges the petitioners on pre-arrest bail on furnishing of a bail bond of Rs. 20, 000/- (Rupees Twenty Thousand) with one surety of

the like amount to the satisfaction of the Arresting Authority under the following conditions:

(i) The petitioners shall appear before the IO within 15 days from the date of the order and thereafter as and when call for.

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

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

7. The AB Application stands disposed of.

JUDGE

Comparing Assistant