GAHC010227242026

2026:GAU-AS:16188

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

Case No. : Bail Appln./3343/2026

KAMAL CH ROY
S/O LT ANATH CH ROY, R/O VILL SINDURAI PT I, PO BELGURI, PS AGOMONI, DIST DHUBRI, ASSAM, PIN 783335

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. M U MONDAL, MR. A W MONDAL,MR A ALIM SK

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 04.11.2026

Heard Mr. M.U. Mondal, learned counsel for the accused applicant. Also heard Mr. K. K. Parasar, learned Additional Public Prosecutor appearing for the State.

2. This is an application filed under Section 483 of the BNSS, 2023 praying

for grant of bail to the accused applicant namely **Kamal Ch. Roy** in connection with Agomoni P.S. Case No. 65/2026 registered under Sections112/318(4)/319(2)/317(4)/351(2)/351(3)/ 308(6)/308(7)/61(2)/3(5)/3(6)/3(8)/3(9) BNS, 2023.

3. The allegations as alleged in the FIR dated 05.09.2026 against the accused/applicant that the accused/applicant without having proper law degree has acted as an Advocate as well as in other capacities with authority and thereby inducing people to settle the matter as well as extorting money by fraudulent manner.

4. On receipt of the FIR, the police registered the Agomoni P.S. Case No. 65/2026 under the aforementioned sections.

5. Mr. M.U. Mondal, the learned counsel for the accused/applicant submits that the allegations against the accused/applicant are totally vague in the FIR and there is no specific allegation has been made about any of the offences as alleged in the FIR. He submits that no victims have come out and filed any case against the accused/applicant. He further submits that similarly situated persons with similar allegations have been granted bail by Co-Ordinate Benches of this Court in various bail matters.

6. He submits that the accused/applicant has already spent 60 days behind bars and taking into account the length of detention, further custodial detention of the accused/applicant may not be required and therefore, he should be released on bail.

7. The Case Diary in the instant case is yet to be received. However, Mr. K.K. Parasar, learned Additional Public Prosecutor appearing for the State of Assam,

on the other hand, opposes the prayer for bail.

8. This Court has considered the submissions made by the learned counsel for the parties and has gone through the materials available on record.

9. Taking into account the allegations made in the FIR as well as the fact that the length of detention of the accused/applicant is about 60 days, this Court is of the considered opinion that the accused/applicant named above should be released on bail. Accordingly, it is directed that the accused/applicant shall be released on bail on furnishing bail bond of Rs.30,000/- (Rupees thirty thousand) only with one surety of like nature to the satisfaction of Chief Judicial Magistrate, Dhubri subject to the following conditions:-

(i) That the accused applicant shall co-operate with the investigation and make himself available and when called for;

(ii) the accused applicant shall not try to influence any of the witnesses that may be involved in the instant case or tamper or hamper with the investigation in whatsoever manner.

10. In terms of the above, the instant Bail Application is allowed and disposed of.

JUDGE

Comparing Assistant