GAHC010228242026

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

Case No. : AB/2608/2026

DHANTI DAS
S/O. NIRESH DAS, R/O. FLAT NO. 14, SAMANNYA HOUSING COMPLEX, MAJHIPARA, BELTOLA, GUWAHATI - 781028 DISTRICT KAMRUP M, ASSAM

VERSUS

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

Advocate for the Petitioner : MR. B CHOWDHURY, MR D BANIA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 12.10.2026

Heard Mr. B. Chowdhury, learned Counsel for the petitioner and Mr. DP Goswami, learned Additional Public Prosecutor for the State.

2. By this application, the petitioner has prayed for pre arrest bail in connection with Dispur PS Case No. 378/2025 registered under Section 318(4)/316(2)/351(2) of BNS, 2023. The FIR in connection with which the

petitioner apprehends arrest was lodged by one Smti Kamala Sunar stating inter alia that around eight months back, the petitioner on the pretext of providing job and allotting a house took Rs. 5 lakhs from her and had misappropriated the same. She further stated that on asking the money back, the petitioner had threatened her to assault.

3. The learned Counsel for the petitioner submits that the story narrated in the FIR is a concocted story and that the petitioner had taken only an amount of Rs. 50,000/- due to financial constraints from the informant and that he will give it back to her without fail.

4. On the other hand, Mr. RJ Baruah, learned Additional Public Prosecutor for the State submits that the criminality of the offence is writ large in the FIR.

5. Upon considerations of the submissions made by the learned Counsels for the parties, more so in view of the fact that the offence alleged in the FIR entails a punishment of less than seven years and that the threatening part is not substantiated in the said FIR, this Court deems it fit to enlarge the petitioner on pre arrest bail on furnishing of bail bond of Rs. 20,000/- with one local surety of the like amount to the satisfaction of the Arresting Authority under the following conditions:

i) the petitioner will appear before the Investigating Officer within 15 days from the date of the order and if the petitioner does not appear within that period, the bail order may be cancelled.

ii) the petitioner will appear before the Investigating Officer thereafter as and when called for.

iii) the petitioner will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iv) the petitioner will not leave the place of jurisdiction without the permission of the Arresting Authority.

6. Petition is disposed of.

JUDGE

Comparing Assistant