GAHC010231412026

2026:GAU-AS:16548

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

Case No. : Bail Appln./3440/2026

SHRI ANKU MONI BARUAH ALAIS ANKUMONI BARUAH
S/O- SRI UTTAM BARUAH
R/O- VILL- BARANGABARI, BAROICHUK,PO- BARANGABARI,PS- HELEM,
DIST- BISWANATH, ASSAM

VERSUS

STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR H R A CHOUDHURY, MS. A KAUSHAR,MR S ISLAM,MR. A U CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

11.11.2026

1. Heard Mr. H.R.A. Choudhury, learned Senior Counsel assisted by Mr. S. Islam, learned counsel appearing for the petitioner. Also heard Mr. K.K. Parasar, learned APP appearing for the State of Assam.

2. By this application the petitioner has prayed for bail in connection with Helem Police Station Case No. 81/2026 registered under Sections 316(2), 318(4), 337, 340(2) and 316(5) of the BNS, 2023.

3. The FIR pursuant to which the petitioner was arrested on 28.09.2026 was lodged on the same date by the Divisional Head of Adani Energy Solutions Limited (AESL) stating *inter alia* that the petitioner who was working under the said corporation had been entrusted with the installation of smart meters in the houses of consumers in the areas of Tezpur, Mangaldai and North Lakhimpur. It is alleged that upon enquiry it was found that smart meters had not been installed in the houses of the concerned consumers. Further enquiry revealed that several smart meters along with their boxes and seals were found at the petitioner's residence. During the course of the enquiry it was also revealed that the petitioner was allegedly involved in the falsification of official records forgery of Aadhaar cards and other irregularities.

4. The learned Senior Counsel, Mr. H.R.A. Choudhury submits that the petitioner has been in custody since the date of his arrest and has already spent 45 days in judicial custody. He further submits that no custodial interrogation of the petitioner is required.

5. On the other hand Mr. K.K. Parasar, learned APP upon perusal of the case diary submits that there are witnesses who have stated that they are consumers in whose houses no smart meters were installed despite their Aadhaar cards having been collected and the necessary reference numbers for installation of the smart meters having been generated. He further submits that several smart meters were recovered from the petitioner's residence which was not in accordance with the prescribed rules. He also submits that the articles relating

to smart metering were sold to a scrap dealer who sold the same to a purchaser in Arunachal Pradesh.

6. Upon consideration of the submissions made by the learned counsel for the parties and having regard to the fact that the petitioner has been in custody for the last 45 days, his statement has already been recorded and no further custodial interrogation is considered necessary, this Court is of the view that the petitioner may be enlarged on bail. Accordingly, the petitioner shall be released on bail on furnishing a bail bond of Rs. 20,000/- (Rupees twenty thousand) with one local surety of a like amount to the satisfaction of the learned Judicial Magistrate First Class, Gohpur subject to the following conditions:

(i) The petitioner shall appear before the Investigating Officer as and when called for,

(ii) The petitioner shall not hamper and tamper with the evidence of the case, and/or influence the witnesses; and

(iii) The petitioner shall not leave his place of residence without the prior permission of the Investigating Officer.

7. Accordingly, this Bail Application stands disposed of.

JUDGE

Comparing Assistant