GAHC010241142026

2026:GAU-AS:16095

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

**Case No. : AB/2757/2026**

SRI M. NGANTHOIBA SINGHA
SON OF M. BABUSANA SINGHA, RESIDENT OF SINGERBOND PART IV, P.O. SINGERBOND, P.S. LAKHIPUR, DISTRICT CACHAR, ASSAM, PIN 788126.

VERSUS

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

**Advocate for the Petitioner** : MR. S N TAMULI, MS. P K ZANNAT,MS P DEKA

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

**BEFORE**
**HONOURABLE MR. JUSTICE ANJAN MONI KALITA**

**ORDER**

**Date : *03.11.2026***

Heard Mr. S. N. Tamuli, learned counsel for the accused applicant. Also heard Mr. K. K. Das, learned Addl. Public Prosecutor for the State of Assam.

**2.** This is an application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying for the grant of pre-arrest bail to the accused applicant, in connection with Patharkandi P.S. Case No. 126/2026, registered under Sections 61(2)/127(7)/140(3)/198/309(4)/310(4) of the Bharatiya Nyaya Sanhita (BNS), 2023.

**3.** An FIR was lodged on 16.09.2026, before the Officer-in-Charge, Patharkandi Police Station to the effect that one Sanjib Paul appeared before the police station and reported that he had handed over an amount of Rs.25,000,000/- (Rupees Twenty-Five Lakhs) to one Sanku Deb for delivering the same amount to his business associate at Dharmanagar. At about 11:35 AM, Sanku Deb caught Silchar Agartala train from Karimganj Railway Station and arrived at Patharkandi Railway Station carrying a cash of Rs. 25,000,000/-. It is alleged that when the train arrived at the Patharkandi Railway Station, five unknown persons intercepted him and forcibly took him towards Chandkhira side in a Bolero vehicle and took away an amount of Rs.14,00,000/- (Rupees Fourteen Lakhs) out of the total cash which he had carried. It is alleged that two persons were wearing khaki dress and one person was wearing white-colored dress. It is alleged that the remaining Rs. 11, 00,000/- (Rupees Eleven Lakhs) was not taken away from him. It is alleged that Sanku Deb could not furnish the names and addresses of the miscreants, but he would be able to

identify the miscreants.

**4.** On the basis of the FIR, police registered Patharkandi P.S. Case No. 126/2026, under the aforesaid sections.

**5.** The learned counsel for the accused applicant submits that the accused applicant is neither involved in any kind of snatching nor had he directed the Lance Naik, Shri Anwar Hussain and Constable, Mr. Sajal Suklabadya to accompany Dulu Ahmed. He submits that, although an allegation has been made that an amount of Rs. 25 lakh was being carried by one Sanku Deb, the same has not been substantiated by any material on record. He further submits that a conspiracy has been hatched to falsely implicate the accused applicant in the instant case. He submits that the accused applicant is a responsible police officer and that he shall cooperate with the investigation in the event of his release on pre-arrest bail. Accordingly, he prays that the accused applicant be granted pre-arrest bail.

**6.** The Case Diary has been received and the same is perused.

**7.** Mr. Das, learned Addl. P.P. opposes the prayer for pre-arrest bail and submits that there is sufficient incriminating material indicating the involvement of the accused applicant in the present case. He further submits that the accused applicant is the mastermind behind the alleged offence and is yet to be arrested by the police in connection with the present case. In view of the aforesaid submissions, he opposes the prayer for pre-arrest bail.

**8.** This Court has considered the submissions made by the learned counsel appearing for the respective parties and has also perused the materials available

in the case diary. Upon taking into consideration the materials available on record and finding sufficient *prima facie* incriminating material indicating the involvement of the accused applicant in the alleged offence, this Court is not inclined to grant the privilege of anticipatory bail to the accused applicant at this stage. Accordingly, the anticipatory bail application stands rejected.

**9.** In view of the above, the instant anticipatory bail application is dismissed.

**10.** Case Diary be returned.

**JUDGE**

**Comparing Assistant**