GAHC010241192026

2026:GAU-AS:16365

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

Case No. : Bail Appln./3477/2026

SANTANU DEKA
SON OF LATE PRABIN DEKA, RESIDENT OF KATING PAHAR,
DAYALNAGAR, AMINGAON, P.S. - HAJO, DISTRICT - KAMRUP, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM.

Advocate for the Petitioner : MR. T N DAS, MR KRISHNANGSHU B,MS JUTISMITA DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 06.11.2026

Heard Ms. J. Das, learned counsel for the accused and Mr. R.J. Baruah, learned Additional Public Prosecutor for the State respondent.

2. This application, under Section 483, BNSS is preferred by accused, namely, Santanu Deka, who has been languishing in jail hazot in connection North Guwahati P.S. Case No. 104/2026, under Section 420/406 of the IPC, read with

Section 7 of the Prevention of Corruption Act, for grant of bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of an FIR lodged by one Babita Devi of Arikuchi, under Nalbari P.S., on 08.10.2026.

3.1. The essence of the allegation in the FIR dated 08.10.2026, is that the accused, who is an employee of IIT Guwahati, residing at quarter No. B-33, IIT Guwahati, had collected a sum of Rs. 80,00,000/- from the informant and several other persons in the year 2022, assuring them to arrange jobs for them at IIT Guwahati. However, he failed to arrange the job and also failed to return the money.

4. Ms. Das, learned counsel for the accused, submits that the accused has been languishing in jail for the last one month, and that he is innocent and no way involved with the offense alleged in the FIR, and that he is ready to cooperate with the investigating agency. Ms. Das also submits that there is a delay of several years as the amount was allegedly collected in the year 2022, but the FIR was lodged only on 08.10.2026, without there being any explanation for the delay, and under such circumstances, she has contended to allow the petition.

5. Per contra, Mr. Baruah, learned Additional Public Prosecutor, has opposed the petition. By producing the case dairy before this Court, he submits that the I.O. has collected sufficient incriminating materials against the accused, and that investigation is going on, and if the accused is enlarged on bail, then it will cause prejudice to the investigating agency, and therefore it is contended to dismiss the petition.

6. Having heard the submission of learned counsel for both the parties, this

Court has carefully gone through the petition and the documents placed on record, and also perused the case dairy with the assistance of Mr. Baruah, learned Additional Public Prosecutor

7. It appears that the investigation is yet to be completed, and that the I.O. has collected sufficient incriminating materials in support of the allegation made in the FIR. The allegations are serious in nature, and further custodial detention of the accused seems to be warranted in the interest of investigation. And accordingly this petition stands dismissed.

8. Case diary be returned.

JUDGE

Comparing Assistant