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

Case No. : Bail Appln./3574/2026

SRI KESHAB BHUYAN
S/O SRI PADUM PADMA BHUYAN, R/O VILL PUB KALITAGAON, PS GOHPUR, PO KALABARI, DIST BISWANATH, ASSAM, PIN 784178

VERSUS

THE STATE OF ASSAM
THROUGH THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. D SAIKIA, MR. P J SAIKIA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

06.11.2026

Heard Mr. D. Saikia, learned counsel for the accused and Mr. R.J. Borua, learned Additional Public Prosecutor for the State respondent.

2. This application, under Section 483 of the BNSS, is preferred by accused, namely, **Sri Keshab Bhuyan**, who has been languishing in jail hazot in connection with **Gohpur PS Case No. 167/2026**, under Sections 132/296/117(2)/351(3) of the BNS, read with Section 3(2) of the Prevention of Damage to Public Property Act, for grant of bail.

3. It is to be noted here that aforementioned case has been registered on the basis of one FIR, lodged by one Pranjal Phukan, Sub-Divisional Engineer, Gohpur Electrical Sub-Division APDCL, on 23.10.2026.

3.1. The essence of allegation made in the FIR, dated 23.10.2026, is that on that day, at about 10:00 am, at Kalitagaon, Hawajan, while one Ratul Gogoi (Lineman – II) and Mohendra Saikia (Sahayak), employees of APDCL, Gohpur, were performing their official line maintenance work on the 11 KV Hawajan Feeder, one Keshab Bhuyan threatened them to cut off their hands, if they remove bamboo hanging dangerously over the 11 KV electric line and thereby, he obstructed them in discharging their duties. Further, he also assaulted Mohendra Saikia and his colleague at the same location on an earlier occasion while they were performing their official duties.

4. Mr. Saikia, learned counsel for the accused, submits that the accused was arrested on 24.10.2026 and since then, he has been languishing in jail hazot for last 13 days. Mr. Saikia further submits that the accused is innocent and no way involved with the offence alleged in the FIR and that the FIR has been lodged at the instance of the local MLA and the contents of the same are false. Mr. Saikia also submits that he has burden to look after his old aged mother, who is suffering from ailment and other family members and under such circumstances, he has contended to allow the petition.

5. Per-contra, Mr. Borua, learned Additional Public Prosecutor, has opposed the petition on the ground that the accused had prevented public servant in discharging their official duties.

6. Having heard the submissions of learned Advocates of both sides, this Court has carefully gone through the petition as well as the documents placed

on record.

7. It appears that the accused was arrested on 24.10.2026 and since then, he has been languishing in jail hazot for last 13 days. Further, it appears that the allegation in the FIR relates to preventing the public servant in discharging their official duties and assaulting them on earlier occasion, date of which finds no mention in the FIR.

8. Thus, balancing the nature of accusation with the period of detention, this Court is of the view that further custodial detention of the accused may not be warranted in the interest of investigation.

9. Accordingly, it is provided that on furnishing a bond of Rs. 20,000/- only, with one surety of like amount to the satisfaction of the learned **Sub-Divisional Judicial Magistrate, Gohpur**, the accused be enlarged on bail.

10. In terms of above, this bail application stands disposed of.

JUDGE

Comparing Assistant