GAHC010243842026

2026:GAU-AS:16537

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

Case No. : Bail Appln./3633/2026

SATISH GAIKWAD
SON OF SHIVAJI SIDU GAIKWAD, RESIDENT OF VILLAGE BALORI, P.S. KHANAPUR, DISTRICT SANGLI, MAHARASHTRA, INDIA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR.

Advocate for the Petitioner : MR M BARMAN,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 11.11.2026

Heard Mr. M. Barman, learned counsel for the petitioner and Ms. A. Begum, learned Addl. Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for bail in connection with Pathsala P.S. Case No. 107/2026, registered under Sections 305(a) and 331(4)

of BNS, 2023.

3. The FIR in connection with which the petitioner was arrested on 01.10.2026, was lodged by the owner of Maa Manasha Jewellers on 15.09.2026, stating *inter alia* that on the day before i.e. on 14.09.2026, at around 02:35 AM, some unknown miscreants broke the locks of the shop and stole gold and silver ornaments from there.

4. Learned counsel for the petitioner submits that during the investigation of the case, the petitioner was arrested only on suspicion and he has placed the forwarding report, wherein it was stated that, the name of the petitioner was revealed by other co-accused persons. The learned counsel also submits that in the notice served to the petitioner under Section 47 of the BNSS, it was stipulated that the petitioner has purchased the stolen articles knowing that the articles were stolen. He, however, submits that the offences punishable under Sections 305(a) and 331(4) of the BNS, 2023, are not attracted in the case of the petitioner.

5. On the other hand Ms. A. Begum, learned Addl. Public Prosecutor for the State, submits that in the grounds of arrest it is specifically mentioned that the petitioner had purchased the articles from the other co-accused upon knowing that the said articles were stolen articles and she prays that the Case Diary be seen in order to see the complicity of the petitioner.

6. Upon consideration of the submissions made by the learned counsels, more so in view of the fact that the petitioner was arrested only on the basis of the co-accused statements and on suspicion, this court enlarges the petitioner

on bail on furnishing of a bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with one local surety of the like amount to the satisfaction of the CJM, Bajali under the following conditions:

(i) The petitioner shall positively appear before the Investigating Officer without fail as and when call for.

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

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

7. The Bail Application stands disposed of.

JUDGE

Comparing Assistant