GAHC010245732026

2026:GAU-AS:16466

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

Case No. : Bail Appln./3553/2026

BIBEKANANDA TAID
S/O. UMADHAR TAID R/O. H/NO. 21, DEHAL PATH, BORSOJAI, BEHARBARI, P.O. AND P.S. BASISTH DISTRICT KAMRUP M, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. B CHOWDHURY,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

10.11.2026

1. Heard Mr. B. Chowdhury, learned counsel appearing for the petitioner. Also heard Mr. D.P. Goswami, learned APP appearing for the State of Assam.

2. By this application the petitioner has prayed for bail in connection with Palashbari PS Case No. 211 of 2026 registered under Sections 3(5)/316(2)/318(4)/351(2) of the BNS, 2023.

3. The FIR in connection with which the petitioner was arrested on 27.10.2026 was lodged by the victim stating *inter alia* that the petitioner had obtained a sum of Rs. 70,000/- from him on the pretext of getting his vehicle released which had been seized by the Forest Range Officer. It was further alleged that accused No. 2, through the petitioner had obtained a sum of Rs. 1,00,000/- from him on the pretext of facilitating the issuance of a licence for opening a wine shop. However, the said amounts were not returned. The informant further alleged that altogether a sum of Rs. 5,70,000/- had been obtained from him.

4. The learned counsel appearing for the petitioner submits that the offences alleged against the petitioner are punishable with imprisonment of less than 7 (seven) years. However, no notice under Section 35(3) of the BNSS, 2023 was issued to the petitioner nor was any reason assigned in the forwarding report for the non-issuance of such notice. He further submits that an amicable settlement has been arrived at between the petitioner and the informant.

5. Mr. D.P. Goswami, learned APP on the other hand submits that the amount allegedly taken by the petitioner is substantial and that there is no indication that the said amount has been refunded. He therefore prays that the case diary be called for and perused.

6. Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the settlement arrived at between the petitioner and the informant, as evidenced by the affidavit dated 02.11.2026 and also taking note of the fact that no notice under Section 35(3) of the BNSS, 2023 was issued to the petitioner without assigning any reasons therefore this Court is of the considered view that the petitioner can be enlarged on bail. Accordingly, the petitioner is enlarged 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 Chief Judicial Magistrate, Kamrup, Amingaon 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