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

Case No. : Bail Appln./3651/2026

ADV ABHISHEK SAHA
S/O SIBAN SAHA, VILL KHARUPETIA JANATA NAGAR, WARD NO. 7, P.S. DHULA, P.O - KHARUPETIAGHAT DISTRICT DARRANG, ASSAM PINCODE-784115

VERSUS

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

Advocate for the Petitioner : M M RAHMAN, MR. S SARKAR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 12.11.2026

Heard Mr. M. Rahman, learned Counsel for the petitioner and Mr. KK Parasar, learned Additional Public Prosecutor for the State.

2. By this application, the petitioner has prayed for bail in connection with Dhula PS Case No. 145/2026 registered under Section

121(2)/132/117(2)/351(2) of BNS, 2023. The FIR in connection with which the petitioner was arrested on 23.10.2026 was lodged by the police personnel stating inter alia that while he was in duty in front of the Durga Puja Site at Melaghat, Kherupetia, the petitioner was found quarreling with another person and he stopped the quarrel, however, the petitioner did not stop the quarrel and he again restarted. When he again went to stop the same, the petitioner obstructed his duty and punched on his chest.

3. The learned Counsel for the petitioner submits that the story narrated in the petition is a concocted story and a real fact is that the petitioner had gone to the Police Station to lodge an FIR due to the assault made upon him by two other miscreants and that the police personnel, who was present there did not register the FIR and since he stated that the police personnel was accidentally hit by the petitioner during the quarrel with the other accused persons, the said informant had lodged the FIR.

4. On the other hand, Mr. KK Parasar, learned Additional Public Prosecutor for the State submits that the petitioner is stated to have misbehaved with the police personnel and as such his complicity is writ large.

5. Upon considerations of the submissions made by the learned Counsels for the parties, more so in view of the fact that the petitioner had tried to file a complaint before the same Police Station on the same day narrating that he was attacked by other two persons, this Court deems it fit to enlarge the petitioner on bail on furnishing of bail bond of Rs. 20,000/- with one local surety of the like amount to the satisfaction of the CJM, Darrang, Mangaldai under the following conditions:

i) the petitioner will appear before the Investigating Officer as and when

called for.

ii) the petitioner will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iii) the petitioner will not leave the place of jurisdiction without the permission of the concerned Court.

6. Petition is disposed of.

JUDGE

Comparing Assistant