GAHC010247922026

2026:GAU-AS:17354

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

**Case No. : AB/2852/2026**

SRI DHRUBA KUMAR MANDAL
SON OF LATE ASWINI KUMAR MANDAL, RESIDENT OF H.NO- 3, KALIBARI ROAD BENGALI BASTI, BASISTHA, KAMRUP METRO, P.O. AND P.S. BASISTHA, GUWAHATI 29, DISTRICT- OF KAMRUP METROPOLITAN, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY ADDL. PUBLIC PROSECUTOR.

**Advocate for the Petitioner** : MR. A SARMAH, MS. GARGI KASHYAP

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**
**HONOURABLE MRS. JUSTICE SHAMIMA JAHAN**

**ORDER**

**Date : 23.11.2026**

Heard Mr. A. Sarmah, learned counsel for the petitioner and Mr. B. Sharma, learned Addl. Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for pre-arrest bail in

connection with Basistha P.S. Case No. 413/2026, registered under Sections 118(2) as well as 3(5) of the BNS, 2023.

3. The FIR in connection with which the petitioner is apprehending arrest was lodged on 22.10.2026, by the victim himself, stating *inter alia* that on the day before at around 06:30 PM, the petitioner along with others attacked him with a knife and caused injuries on his body.

4. The learned counsel for the petitioner, submits that the petitioner was the volunteer in the puja site and that the story narrated by the informant is a concocted story.

5. On the other hand, Mr. B. Sharma, learned APP, on perusal of the Case Diary submits that the witnesses have stated that, it was the petitioner along with another had attacked the informant. He also submits that, the informant in his statement had stated that, the petitioner along with another had hit his hand with a knife. The learned counsel for the petitioner submits that the petitioner incompliance with the order of this court dated 10.11.2026 had appeared before the Investigating Officer and his statement was recorded.

6. Learned APP on perusal of the Case Diary also submits that the petitioner had appeared before the Investigating Officer and his statement was recorded.

7. Upon consideration of the submissions made by the learned counsels, more so in view of the fact that the petitioner has co-operated with the investigation of this case and also due to the fact that the incident had happened at the spur of the moment, this court enlarges the petitioner on pre-arrest bail. The order dated 10.11.2026, enlarging the petitioner on interim pre-

arrest bail is made absolute. It is further directed that the petitioner should abide by the conditions already narrated in the earlier order, dated 10.11.21026.

8. The petition is disposed of.

**JUDGE**

**Comparing Assistant**