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

Case No. : AB/2901/2026

SRI PRADIP DAS
S/O LATE CHANDRA DAS, R/O VILL BHOGPUR, BEHARBARI ROAD, PO AND PS KHETRI, DIST KAMRUP (M), ASSAM, PIN 782403

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR B BHATTACHARYYA, MS. B BHARALI,MS. K K PASWAN,MS M SAHOO

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

16.11.2026

1. Heard Mr. B. Bhattacharyya, learned counsel appearing for the petitioner. Also heard Mr. P. Borthakur, learned APP appearing for the State of Assam.

2. By this application the petitioner has prayed for pre-arrest bail in connection with Barama P.S. Case No. 91/2026 registered under Sections 318(4)/61(2)/3(5) of

the BNS, 2023.

3. The FIR in connection with which the petitioner apprehends arrest was lodged on 29.09.2026 by the informant stating *inter alia* that he had met accused No. 1 who told him that he had good relations with the Education Minister and could arrange for the candidates to pass their examinations and secure jobs. He further stated that accused No. 1 had demanded an amount of Rs. 40,000/- from him in respect of each candidate.

4. The learned counsel appearing for the petitioner submits that no specific allegation has been made against the petitioner in the said FIR wherein he has been arrayed as accused No. 4.

5. On the other hand Mr. P. Borthakur, learned APP by referring to the preliminary enquiry report submits that the police personnel had found the petitioner to be involved in the commission of the alleged offence. He further submits that offences of this nature cannot be committed by one or two persons in isolation but involve the participation of a group of persons and that the petitioner was also found to be involved in the same.

6. Upon consideration of the submissions made by the learned counsel, more so in view of the fact that no specific allegation has been made against the petitioner who has been arrayed as accused No. 4 in the FIR either in the FIR or in the preliminary enquiry report except for a general assertion that he was involved in the incident, this Court is inclined to grant the petitioner the privilege of pre-arrest 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 Arresting Authority subject to the following conditions:

(i) The petitioner shall positively appear before the Investigating Officer within a period of 15 days from today and cooperate with the

investigation without fail,

(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 his without prior permission of the Investigating Officer.

7. Accordingly, this Anticipatory Bail Application stands disposed of.

JUDGE

Comparing Assistant