GAHC010254052026

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

**Case No. : Bail Appln./3740/2026**

ANUPOL SAIKIA
SO LATE PALLAB SAIKIA, RO DIPOTA, PS TEZPUR, DIST SONITPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

**Advocate for the Petitioner** : A KALITA, A SAIKIA

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

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

**ORDER**

**Date : 17.11.2026**

Heard Mr. A. Saikia, learned Counsel for the petitioner and Mr. P. Borthakur, learned Additional Public Prosecutor for the State.

2. By this application, the petitioner has prayed for bail in connection with Tezpur PS Case No. 725/2026 registered under Section 316(2)/318(4) of BNS, 2023. The FIR in connection with which the petitioner was arrested on 07.11.2026 was lodged by the informants stating inter alia that the petitioner had agreed to sale a plot of land to the petitioner and had received a sum of Rs. 4 lakhs from them but the petitioner is stated to have sold the plot of land to another person. It was further stated that when the informants asked for the money back or to execute the sale deed, the petitioner had neither returned the money nor had finalize the sale deed with them.

3. The learned Counsel for the petitioner submits that issue involved in the instant case is purely civil in nature and that the petitioner due to dearth of money could not pay the money back to the informants.

4. On the other hand, Mr. P. Borthakur, learned Additional Public Prosecutor for the State submits that the ingredients of cheating is attracted in the case and is writ large in the FIR.

5. Upon considerations of the submissions made by the learned Counsels for the parties, more so in view of the fact that the contents of the FIR shows a civil dispute between the parties and there been no further ingredients of any misconduct on the part of the petitioner, 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 Addl. CJM, Tezpur 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**