GAHC010255302026

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

Case No. : Bail Appln./3739/2026

SRI MULAGODA ARJUN ALAIS M ARJUN
R/O- H NO- 09, JYOTI NAGAR, PS- CHANDMARI, DIST- KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP, ASSAM.

Advocate for the Petitioner : MR. U K BARMAN, MR. R KONWAR,MR D PEGU,MR H ALI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 17.11.2026

Heard Mr. H. Ali, 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 Chandmari PS Case No. 157/2026 registered under Section 109/117(2)/3(5) of BNS, 2023. The FIR in connection with which the petitioner was arrested on

10.11.2026 was lodged by the victim himself stating inter alia that while he and his son were bursting crackers at his residential campus, one of the cracker accidentally went to the premises of one his neighbor and although no injury or articles were damaged but he and his son went to the house of the neighbor to confess the guilt and say sorry but it is stated that the tenants of the said neighbor came to the spot and after misbehaving with him pushed him and his son, assaulted him, as a result of which, his hand got fractured.

3. The learned Counsel for the petitioner submits that no overt act is mentioned as against the petitioner that he is the one who had pushed the informant. In fact he submits that there were other persons also when the quarrel had taken place and who had pushed the informant was not known.

4. On the other hand, Mr. P. Borthakur, learned Additional Public Prosecutor for the State submits that that it is clearly stated in the FIR that both the petitioners had assaulted the informant as a result of which the informant sustained grievous injury. He as such submits that the Case Diary be seen in order to see the injury of the informant as well as overt act of the petitioner.

5. Upon considerations of the submissions made by the learned Counsels for the parties, more so in view of the fact no specific allegation is made against the petitioner in the said FIR nor in the forwarding report and also due to the fact that the petitioner has been inside the jail for quite some time, 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, Kamrup(M) 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