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

Case No. : Bail Appln./3761/2026

SRI MAHESH KUMAR
S/O MANJU KUMAR, R/O ROBERTSGANJ, PS ROBERTSGANJ, DIST SONVADRA, UTTAR PRADESH

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. K K HANDIQUE, MR. M KALITA,B RAJBONGSHI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 18.11.2026

Heard Mr. K. K. Handique, learned counsel for the petitioner and Mr. R. J. Baruah, learned Addl. Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for bail in connection with PRC Case No. 308/2026, pending before the Court of Chief Judicial Magistrate,

Nalbari arising out of Ghograpar P.S. Case No. 44/2026, registered under Sections 61(2)(a)/126(2)/117(2)/109(1)/309(6)/62 of BNS, 2023.

3. The FIR in connection with which the petitioner was arrested on 14.05.2026 was lodged by the victim, stating *inter alia* that while he was going by driving his vehicle towards Ghograpar, another car obstructed his vehicle and when he stopped his vehicle, the persons from the other car came down and asked him the road to Guwahati and that, thereafter, the said unknown persons entered into his car and assaulted him with weapons and when public arrived at the place of occurrence, the said accused persons ran away from the place.

4. The learned counsel for the petitioner submits that, the name of the petitioner did not figure in the FIR and that, he was arrested at the place of occurrence. He further submits that, the police, on completion of the investigation has submitted the Charge-sheet and that the matter will proceed to trial. He however, submits that custodial interrogation is no longer required with regard to the petitioner and he be enlarged on bail.

5. On the other hand Mr. R. J. Baruah, learned APP for the State submits that, the petitioner was arrested at the spot when he tried to flee from the place and that, the trial court's record be seen along with the materials against him before granting bail.

6. Upon consideration of the submissions made by the learned counsels, more so in view of the fact that, the police have completed the investigation and had submitted charge-sheet and also due to the fact that the petitioner has been inside the jail for the last 157 days, this court enlarges the petitioner on

bail on furnishing of a bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with one local surety of the like amount to the satisfaction of the CJM, Nalbari, under the following conditions:

(i) The petitioner shall positively appear before the Trial Court without fail as and when call for.

(ii) The petitioner shall not approach and/or influence any of the witness connected with the case; and

(iii) The petitioner shall not leave their residence without prior permission of the Investigating Officer.

7. The Bail Application stands disposed of.

JUDGE

Comparing Assistant