GAHC010258552026

2026:GAU-AS:17090

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

Case No. : Bail Appln./3793/2026

DILIP BASAK
SON OF LATE NIPEN BASAK, RESIDENT OF - DHARAPUR NEAR DURGA MANDIR, POLICE STATION. AZARA, DISTRICT -KAMRUP M, ASSAM. PIN-781017

VERSUS

THE STATE OF ASSAM
TO BE REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR, ASSAM. .RESPO

Advocate for the Petitioner : MR. A LAL, MR A BRAHMA,MR. M PANDIT

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

19.11.2026

1. Heard Mr. A. Lal, learned counsel appearing for the petitioner. Also heard Mr. S.H. Borah, learned APP appearing for the State of Assam.

2. By this application the petitioner has prayed for bail in connection with Dhemaji P.S. Case No. 152/2026 registered under Sections 331(4) and 305(a) of

the BNS, 2023.

3. The FIR in connection with which the petitioner was arrested on 17.10.2026 was lodged by the victim stating *inter alia* that while no one was present in his house, some unknown person had entered the house and stolen various gold ornaments.

4. The learned counsel for the petitioner submits that the petitioner is a goldsmith by profession and runs a shop. It is further submitted that the petitioner's shop was searched during which certain silver ornaments were seized.

5. Ms. S.H. Borah, learned APP on the other hand submits that as reflected in the order passed by the learned Chief Judicial Magistrate, Dhemaji the petitioner had purchased the stolen gold ornaments from the co-accused.

6. Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that there is no stipulation either in the forwarding report or in any other material on record to indicate that the petitioner had purchased the stolen articles with the knowledge that they were stolen property and also taking note of the fact that only silver articles were seized from the petitioner's shop, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner shall be enlarged on 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 learned Chief Judicial Magistrate, Dhemaji subject to the following conditions:

(i) The petitioner shall appear before the Investigating Officer/ Trial Court as and when called for,

(ii) The petitioner shall not hamper and tamper with the evidence of the case, and/or influence the witnesses; and

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

7. Accordingly, this Bail Application stands disposed of.

JUDGE

Comparing Assistant