GAHC010260942026

2026:GAU-AS:17243

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

Case No. : AB/2981/2026

DEBONAN BASFOR
S/O LATE DIPAK BASFOR, R/O UZANBAZAR, P.S. LATASIL, DISTRICT KAMRUP METRO, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, GAUHATI HIGH COURT.

Advocate for the Petitioner : MR J ISLAM, E BEGUM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE SHAMIMA JAHAN
ORDER

20.11.2026

Heard Mr J Islam, learned counsel for the petitioner. Also heard Ms A Begum, learned Additional Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for pre-arrest bail in connection with Latasil PS Case No. 82/2026, registered under Sections 109/117(2)/3(5)/351(3)/74 of the BNS, 2023.

3. The First Information Report in connection with which the petitioner is apprehending arrest, was lodged by the victim, stating, *inter alia,* that during the Durga Puja celebration, 10 to 12 persons forming a group, assaulted him and other persons enjoying the Puja celebration and caused injuries to one Mohan Choudhury, along with others.

4. The learned counsel for the petitioner submits that none of the assailants were named in the FIR and that petitioner is a cleaner in the park and that the Police is searching in connection with the said case.

5. On the other hand, Ms A Begum, the learned Additional Public Prosecutor for the State, submits that there is no apprehension on the part of the petitioner and that the instant application is not maintainable.

6. Upon consideration of the submissions made by the learned counsels, more so in view of the pleadings narrated in the said application that Police is searching the petitioner to apprehend him merely on the ground that he is found in the place of occurrence and also due to the fact that none of the assailants were named in the FIR, this Court enlarges the petitioner on pre-arrest bail on furnishing bail bond of Rs. 20,000/-, with one surety to the satisfaction of the arresting authority, under the following conditions:-

i) the petitioner shall appear before the Investigating Officer within 15 (fifteen) days from the date of the order;

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 residence without prior permission of the Investigating Officer.

7. If the petitioner does not appear before the aforesaid Court within the stipulated time and violates any of the conditions mentioned above, the bail granted to him shall

automatically stand cancelled.

8. Anticipatory Bail Application stands disposed of.

JUDGE

Comparing Assistant