GAHC010264892026

undefined

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

Case No. : Bail Appln./3902/2026

SRI GOLAP KANU
S/O- RAMCHANDRA KANU, R/O- TENGAKHAT CHUNGIGAON, P.S.- TENGAKHAT, DIST DIBRUGARH, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY P.P. ASSAM

Advocate for the Petitioner : MR S M ABDULLAH P, MD IMRAN,MR. MD IMDAD,MD R ISLAM,MS F HUSSAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 26.11.2026

Heard Mr. S. M. Abdullah P, learned counsel for the petitioner and Ms. S. H. Borah, learned Addl. Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for bail in connection with Jakhalabandha Police Station Case No. 104/2026, registered under Sections

111(2)(b)/303(2)/61(2)/3(5) of the BNS, 2023.

3. The FIR, in connection with which the petitioner was arrested on 14.11.2026, was lodged by police personnel, stating, inter alia, that upon receiving information that a few persons were conspiring and making preparations to commit theft of oil from the Indian Oil pipeline in the Jakhalabandha area, the informant, along with other, conducted a checking, during which they traced out a vehicle and intercepted the same. The occupants of the said vehicle were arrested. It is further alleged that, while conducting search of the vehicle, one CO2 pistol, one cheque along with one toolbox were recovered therefrom.

4. The learned counsel for the petitioner submits that, the petitioner was arrested only on the suspicion and the seized articles do not have any connection with any offence in question. He also submits that, the petitioner was produced before this Court after expiry of 24 hours of his arrest against the law.

5. On the other hand, Ms. S. H. Borah, learned Addl. Public Prosecutor for the State, submits that, no time was mentioned in the forwarding report about the arrest of the accused person and as such, she submits that the Case Diary be looked into in order to see the complicity of the petitioner as well as the fact that the petitioner was presented before the court within the period of 24 hours.

6. Upon consideration of the submissions made by the learned counsels, more so in view of the fact that, the petitioner was arrested only on suspicion and also due to the fact that, *prima facie*, it is seen that the petitioner was

produced before the Court after expiry of 24 hours, 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 SDJM, Kaliabor, Nagaon, Assam under the following conditions:

(i) The petitioner shall positively appear before the IO/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 his residence without prior permission of the Investigating Officer.

7. The Bail application stands disposed of.

JUDGE

Comparing Assistant