GAHC010267172025

2026:GAU-AS:2404

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

Case No. : AB/2830/2025

RAKESH KOTHARI
S/O SUSHIL KOTHARI
R/O MANKACHAR MAIN ROAD
P.O. AND P.S. MANKACHAR
DIST. SOUTH SALMARA MANKACHAR, ASSAM, PIN-783131.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. A M BORA, MR R ISLAM,MR. A H MOLLAH,MS. A HUSSAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

JUDGMENT

Date : 18.02.2026

Heard Mr. R. Islam, learned counsel for the petitioner and Mr. B. Sarma, learned Addl. Public Prosecutor appearing on behalf of the State respondent.

This is an application under Section 482 of BNSS, 2023 praying for granting pre-arrest bail to the accused petitioner, namely, Rakesh Kothari, in connection with Mankachar P.S. Case No. 148/2025 under Section

303(2)/317(2) BNS, 2023.

The Case diary received. Perused the same.

It is submitted by Mr. Islam that the present petitioner is innocent and it is a fact that he purchased two gold coins without any knowledge of smuggling activity. However, he appeared before the I.O. and cooperated in the investigation of the case and is still ready and willing to extend his cooperation in the further investigation of this case.

Mr. B. Sarma, learned Addl. Public Prosecutor, submitted in this regard that the accused petitioner already appeared before the Investigating Officer, cooperated in the investigation and his statement also recorded in terms of the interim pre-arrest bail granted earlier.

On hearing the submissions of both the sides and considering the conduct of the accused petitioner, this Court finds that custodial interrogation of the petitioner may not be necessary for the interest of the investigation.

In view of the above, the order of interim pre-arrest bail dated 03.12.2025 is hereby made absolute on same terms and conditions.

Return the case diary.

This anticipatory bail application is accordingly disposed of.

JUDGE

Comparing Assistant