

GAHC010271552025



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

Case No. : Bail Appln./3974/2025

BIRAJ BALLAV KALITA
S/O BALOBHADRA KALITA,R/O BORAGAON, SEWALIPATH, B/L-
06,BRP.SGARCHUK, DISTRICT KAMRUP (M), ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR S M ABDULLAH P, MS S ABDULLAH,MR. S MUNIR,MR. S HAQUE

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

09.01.2026

Heard Mr. S. M. Abdullah, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Addl. PP for the State.

2. This is an application u/s 483 of the BNSS, 2023 praying for grant of bail to the petitioner namely, **Biraj Ballav Kalita**, who was shown arrested on

07.11.2025 in connection with CID P.S Case No. 20/2025 u/s 61(2)/329(3)/308(5)/111(2)(b)/189(2)/351(3) of BNS, 2023

3. The allegations as reflected in the FIR is that on 28.10.2025, the complainant Sri Hirak Jyoti Saikia, Inspector of Police, CID, Assam lodged an FIR at CID Police Station, Assam and stating that based on reliable information and case record of various districts of Assam, the accused persons namely (1) Rantu Paniphukan (2) Bikash Baruah (alias Bikash Asom) (3) Aditya Sagar Paniphukon (4) Sujit Dutta (5) Manoj Dekha (alias Manoj Asom) (6) Jayanta Sarma (alias Jayanta Asom) (7) Tapan Sarma (alias Tapan Asom) (8) Along with other unidentified Members and Associates of Bir Lachit Sena (BLS) wherein the complainant alleged that in the name of Bir Lachit Sena (BLS) a self-styled Socio-Cultural Group operating in the State of Assam the FIR named accused persons claiming to champion Assamese cultural and nationalist causes, but in recent years it has systematically engaged in coercive "donation" drives targeting Businesses. Under the pretext of raising Funds for socio-cultural Events, BLS Members have been forcefully collecting money from Traders and Entrepreneurs across Assam, employing intimidation and violence. These demands are essentially extortion as they are not voluntary contributions but payments extracted under threat.

4. Mr. S.M Abdullah P, learned counsel for the petitioner has submitted that there are no specific allegations against the present petitioner who have been shown arrested in the present case. On 07.11.2025, they were earlier arrested in connection with Dispur P.S Case No. 875 of 2025 u/s 140(2)/3(5)/308(2) BNS, 2023.

5. It is further submitted that the earlier Bail Application on behalf of the present petitioner was rejected by this Court by order dated 28.11.2025 in Bail.Appln No. 3747/2025. Since then one and a half months have elapsed and considering the length of detention the petitioner may be released on bail.

6. Case diary as called for has been received. It appears that the earlier bail application was rejected in view of the incriminating material available in the case diary.

7. However, considering the nature of the allegations and the period of detention of about 65 days undergone by the accused petitioner the prayer for bail is allowed.

8. Having regard to the above, the petitioner named above shall be released on bail of Rs. **50,000/- (Rupees Fifty Thousand)** with two sureties of like amount to the satisfaction of the **learned Chief Judicial Magistrate, Kamrup (M)** in connection with the aforesaid case subject to the following condition-

(1) The petitioner shall co-operate with the investigation and shall not try to intimidate or influence the witnesses.

9. In terms of the above observation, this application stands disposed of.

JUDGE

Comparing Assistant