

GAHC010000772026



2026:GAU-AS:781

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

Case No. : AB/41/2026

RAHUL CHAKRABORTY
S/O- MOLOY CHAKRABORTY
R/O- LAKHI CHARAN ROAD,
PO, PS AND DIST -SRIBHUMI

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A AHMED, MISS. P M AHMED,U U KHAN,MR A AHMED,MR. M A CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

Date : 22.01.2026

Heard the learned counsel for the petitioner and the learned Addl. P.P., Assam.

This application under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 filed by the petitioner, namely Rahul Chakraborty, apprehending arrest in connection with Sribhumi P.S. Case No. 500/2025 registered under Sections 318(4)/314/336(3)/ 316(5)/3(5) of BNS, 2023.

Case diary, as called for, has been received.

The case arose out of an FIR dated 29.11.2025 lodged by three officials of

Sribhumi Municipal Board including the Chairman giving details of the misappropriation of property tax by providing false receipts for inflated amounts.

The petitioner is also put under suspension vide order dated 04.12.2025.

Learned counsel for the petitioner drawing my attention to para 4 and 5 of the bail petition, submits that he is working as a Junior Assistant and his duty is not to collect taxes and that he is performing ministerial work and therefore, he has been unfairly and falsely implicated in the case. It is also submitted that due to some disagreements with higher-ups, he has been maliciously targeted.

The materials on record indicate tabular information about the money receipt through way of genuine receipts and the inflated amount of the fake duplicate receipt on different dates and the misappropriated amounts have also been given in the tabular form. The I.O. has also submitted a bail objection objecting the grant of bail.

During the course of investigation, property receipts of different persons were seized. It is stated that the investigation has revealed that the petitioner along with co-accused collected municipal tax and deposited lesser amount into the Municipal Authority Coffor and misappropriated excess amount and for this purpose they issued fake money receipt of inflated amounts thereby lending support to the basic allegations made in the FIR. The investigation is still in progress.

Having regard to the above and the fact that the bail application of the co-accused has already been rejected by order dated 19.12.2025, which stands on a similar footing, the prayer for pre-arrest bail stands rejected.

This petition is accordingly dismissed.

Return the case diary.

JUDGE

Comparing Assistant