

GAHC010004452026



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
Case No. : AB/67/2026

BISWAJIT GAYAN AND ANR
S/O BAPAI GAYAN
R/O DA GAYAN GAONP.O. DHEKORGORHA
DIST. JORHAT, ASSAM
2: DIPAK GAYAN
S/O BAPAI GAYAN
R/O DA GAYAN GAONP.O. DHEKORGORHA
DIST. JORHAT
ASSA
VERSUS
THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR S BORTHAKUR, MS. P BORAH
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 09.01.2026

Heard Mr. S. Borthakur, learned counsel for the petitioners and Mr. D.P. Goswami, learned Addl. Public Prosecutor, Assam for the State respondent.

2. This is an application under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, the petitioners namely, **1. Biswajit Gayan** and **2. Dipak Gayan** have prayed for granting pre-arrest bail, apprehending arrest in connection with **Pulibor P.S. Case No. 149 of 2025 under Sections**

329(3)/ 118(2)/ 109/ 74/ 3(5) of BNS, 2023.

3. The FIR was lodged on 15.12.2025 with the allegation that one dumper belonging to the petitioner was used for carrying illegal soil and sand from Bughdoi river causing damage to the public road. The petitioners came out from the house and assaulted him causing injuries to the victim.

4. It is submitted that petitioners are business men and there was an altercation between the parties regarding excavating soil and sand. However, case diary is necessary.

5. Call for the case diary alongwith the injury report.

6. However, in the interim, it is directed that in the event of arrest of the petitioners, they shall be enlarged on interim pre arrest bail on furnishing a bond of Rs. 25,000/- each with one surety each of like amount to the satisfaction of the arresting authority in connection with the aforementioned case, subject to the following conditions that:-

- (i) the petitioners shall cooperate with the investigation;
- (ii) the petitioners shall appear before the I.O. for examination; and
- (iii) the petitioners shall not cause harm or annoyance to the informant or the other witnesses.

7. List accordingly on **30.01.2026.**

JUDGE

Comparing Assistant