

GAHC010016202026



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

Case No. : AB/198/2026

CHENGKAL R MARAK ALIAS SENGKAL R MARAK
S/O STAFFORD ARENG, R/O VILL NOGOLPARA, PO DAINADUBI, PS
MENDIPATHAR, DIST NORTH GARO HILLS, MEGHALAYA.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR SARFRAZ NAWAZ, R MALI, MD A RAHMAN, MR. SURAJIT DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

02.02.2026

1. Heard Mr. S. Nawaz, learned counsel for the petitioner. Also heard Mr. R.J. Baruah, learned Additional Public Prosecutor for the State.

2. This application under Section 482 of BNSS, 2023 has been filed by the petitioner, namely, **Chengkal R Marak @ Sengkal R Marak**, seeking pre-arrest bail in connection with **Goalpara P.S Case No. 221/2025 registered under Sections 309(4) of BNS,2023.**

3. The FIR dated 02.12.2025 was lodged by one Chumbru Alde with the allegation of dacoity in their establishment, during which copper wires were looted and the security guards were attacked. One of the guards, Ratneshwar Rabha was severely injured and admitted to the Hospital in a serious condition.

4. No persons are named in the FIR.

5. Mr. Nawaz, learned counsel for the petitioner has taken the Court to an FIR dated 05.07.2022, which was submitted by the wife of the petitioner to the Superintendent of Police, Goalpara.

6. The gist of the allegations in the elaborate complaint is the unlawful detention of her husband and herself in the police station; being subjected to custodial violence; snatching away of money; forcing the husband to arrange for money which he was purportedly supposed to return to one person; forcefully taking their signatures on blank stamp papers. The complaint was marked to several high authorities like Hon'ble Prime Minister, Hon'ble Home Minister, Hon'ble Chief Minister of Assam and Meghalaya and DGP, Assam.

7. It is submitted that the said case was charge-sheeted and followed by an explanation of the offence and is posted for evidence on 06.02.2026. It is further submitted that the petitioner and his

wife are adduce evidence on that day in that case and to intimate them, the petitioner has been falsely implicated.

8. The learned Additional Public Prosecutor seeks only the case diary at this stage, drawing attention to the order of the learned court below, rejecting the bail of the present petitioner, observing that there are incriminating materials in the case diary.

9. Call for the case diary from the concerned police station.

10. However, in the circumstances, I deem it appropriate to grant some interim protection. Accordingly, in the interim, that in the event of the arrest of the petitioner in connection with the above-noted case, the above-named accused petitioner, shall be **allowed** to go on **interim bail** of **Rs.20,000/- (Rupees Twenty Thousand)** only with **one** surety of the like amount subject to the satisfaction of the arresting authority with following conditions:

- (i) That the petitioner shall co-operate in the investigation;
- (ii) That the petitioner shall appear before the I.O within a period of 7(seven) days;
- (iii) That the petitioner make himself available for examination;
- (iv) That the petitioner shall not hamper or tamper with the evidence;
- (v) However, it is made clear that by way of examination

of the petitioner, he shall not be subjected to any harassment.

11. List again on **23.02.2026**.

JUDGE

Comparing Assistant