

GAHC010024892026



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

Case No. : AB/280/2026

SURAJ BORDOLOI AND ANR
S/OLT. ARUN BORDOLOI, R/O LMTC ROAD, GORMUR DULIA GAON
UNDER JORHAT POLICE STATION IN THE DIST. OF JORHAT, ASSAM.

2: BISHNU BORA
S/O NOKUL BORA
R/O LAKHIRAM PATH
NEAR RRL TINIALI UNDER PULIBOR POLICE STATION IN THE DIST. OF
JORHAT
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM.

Advocate for the Petitioner : MR D TALUKDAR, MS P SAIKIA,MS B GOSWAMI,MR P
CHOUDHURY

Advocate for the Respondent : PP, ASSAM, A K GOGOI(INFORMANT)

**BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA**

ORDER

Date : 11.02.2026

Heard Mr. D. Talukdar, learned counsel for the accused/applicants. Also heard Mr. heard Mr. D.P. Goswami, learned Additional Public Prosecutor for the State of Assam as well as Mr. A.K. Gogoi, learned counsel appearing for the complainant.

2. This is an application filed under Section 482 of the BNSS, 2023 for granting pre-arrest bail to the accused/ applicants in connection with Pulibor P.S. Case No. 06/2026, registered under Sections 191(2)/ 118(2)/ 109/ 351(2)/ 3(5) of the BNS, 2023.

3. The allegations as narrated in the FIR dated 31.01.2026 lodged by one, Chinmoy Bhagowati before the Officer-in-Charge, Pulibor Police Station, Jorhat are that on 30.01.2026 at about 09:45 PM, he received a call from his friend, Pragyan Bordoloi on his mobile phone stating that he got involved in an accident in front of Janki Bibah Bhawan. He also intimated the informant that some people armed with iron rods, daos etc were trying to assault him and he requested for some help. On receiving the phone call, the informant went to the place of occurrence and tried to stop the fight between the parties, however, one Debojit Gogoi who was one of the alleged persons who were trying to assault his friend Pranjal Bordoloi, attempted to hit him on his neck with a sharp dao while two other persons namely, Suraj Bordoloi and Bishnu Bora caught hold of the informant. However, the blow from the dao could not made on the neck and somehow, he saved himself but he got hit on his face causing serious injury.

4. The aforesaid Debojit Gogoi tried to assault him later on also with his dao. It was alleged that the informant got serious injury. Thereafter, his elder brother rescued him and took him immediately to Pulibor Police Station and thereafter, to the Jorhat Medical College and Hospital. On receipt of the FIR, the police registered Pulibor P.S. Case No. 06/2026.

5. Mr. D. Talukdar, the learned counsel appearing for the accused/ applicants submits that the alleged incident occurred in the hit of the moment due to an accident and there was no intentional fight involved in the instant case. He submits that accused/ applicants were only accompanying their friend namely, Debojit Gogoi in the vehicle when the accident took place. He further submits that there is no allegation of any hitting or attempted hitting by the accused/ applicants on the informant. He submits that whatever injuries sustained by the informant was due to the assault by aforesaid Debojit Gogoi. He submits that, in fact, an cross FIR has already been filed by brother of Debojit Gogoi alleging assault on his brother by some unknown persons which was filed on 31.01.2026. Therefore, he submits that it is yet to ascertained who is the aggressor in the fight which has been alleged in the FIR dated 31.012026.

6. The learned counsel further submits that the accused/ applicants are respected businessmen of Jorhat and they will fully co-operate with the investigation in the instant case. Therefore, he submits that at this stage, this Court should give some interim protection to them for appearing before the investigating authority and co-operate with the investigation.

7. The learned Additional Public Prosecutor, on the other hand, opposed the interim bail without perusing the case diary. Mr. A.K. Gogoi,

learned counsel for the informant also opposed the granting of an interim bail at this stage stating that the injury caused to the informant is of serious nature and if the accused/ applicants are given interim protection, they may try to influence the investigation by hampering or tampering with the witnesses.

8. This Court has heard submissions made by the learned counsel for both the parties and perused the materials available before this Court. On consideration of the fact that the incident had actually occurred due an accident on the road between the two vehicles of the informant's friend and the aforesaid Mr. Debojit Gogoi and the fight happened suddenly, wherein the informant got injured, this Court is of the considered opinion that at this stage, interim protection can be granted to the accused/ applicants so that the accused/ applicants can appear before the investigating authority and cooperate with the same.

9. Accordingly, it is directed that in the event of arrest of the accused/ applicants, the accused/ applicants shall be released on interim bail of Rs.20,000/-(rupees twenty thousand only) each with surety of like nature to satisfaction of the arresting authority in connection with Pulibor P.S. Case No. 06/2026 subject to following conditions:-

- i. That the accused/applicants shall appear before the investigating authority within 7 days of passing of this order.
- ii. That the accused/applicants shall appear before the investigation as and when called for.
- iii. That the accused/ applicants shall not try to hamper or

tamper with any of the witnesses involved in the instant case in whatsoever manner.

10. Call for the case diary.

11. Let the matter be listed on 05.03.2026 along with the medical reports.

JUDGE

Comparing Assistant