

GAHC010030452026



2026:GAU-AS:2710

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

Case No. : AB/381/2026

FULCHAN ALI AND 2 ORS
S/O AKBAR ALI
R/O- VILL - KOLIASAstra, PAMERGHAT, P.S - KRISHNAI, DIST -
GOALPARA, ASSAM
PIN- 783126

2: ABDUL KHALEK
S/O AKBAR ALI
R/O- VILL - KOLIASAstra
PAMERGHAT
P.S - KRISHNAI
DIST - GOALPARA
ASSAM
PIN-783126

3: ABDUL MALEK
S/O AKBAR ALI
R/O- VILL - KOLIASAstra
PAMERGHAT
P.S - KRISHNAI
DIST - GOALPARA
ASSAM
PIN-78312

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P, ASSAM

Advocate for the Petitioner : MR R ISLAM, MR. O FARUK,MR A H AHMED

Advocate for the Respondent : PP, ASSAM,

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

ORDER

Date : 23.02.2026

Heard Mr. R. Islam, learned counsel for the accused applicants. Also heard Mr. K. K. Parasar, learned Additional Public Prosecutor for the State of Assam.

2. This is an application filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, (BNSS) 2023 praying for grant of pre-arrest bail to the accused applicants in connection with Krishnai P.S. Case No.75/2025, registered under Sections 105/3(5) of BNS.

3. The brief facts of the case are that on 07.12.2025, one Abdul Mojid lodged an FIR before the Officer-in-Charge of Krishnai Police Station, stating, inter alia, that at about 10:00 a.m., his father, namely Wahed Ali, while going to his corn field from his house, got electrocuted by a wire planted by the accused and other persons for catching fish near Krishnai, as it passed by a river. As a result of the aforesaid electric shock, the complainant's father died.

4. On receipt of the FIR, the police registered the case as Krishnai P.S. Case No. 75/2025 under the aforementioned sections.

5. The learned counsel for the applicants submits that although the victim died due to electric shock, the incident was purely accidental and there was no intention to kill anyone. He further submits that an element of negligence may have been involved in the instant case, but there is no case of an intentional crime. He submits that the accused applicants are villagers from the same village as the victim and shall cooperate with the investigation in the instant

case.

6. The learned Addl. P.P., on the other hand, opposes the bail application. This Court, after taking into account the entire facts and circumstances, is of the view that the accused applicants should be given the privilege of anticipatory bail at this stage.

7. Accordingly, it is directed that in the event of arrest of the accused applicants by the Arresting Authority, they shall be released on furnishing a bail bond of Rs. 20,000/- (Rupees Twenty Thousand only) each with a surety of like amount to the satisfaction of the Arresting Authority, subject to the following conditions:

(i) that the accused applicants shall appear before the I.O. of the case within a period of 10 days from the date of passing of this order;

(ii) that the accused applicants shall fully cooperate with the investigation and make themselves available as and when called for by the I.O.; and

(iii) that the accused applicants shall not try to influence any of the witnesses that may involved in the instant case.

8. With the aforesaid direction, the instant anticipatory bail application stands disposed of, as allowed.

JUDGE

Comparing Assistant