

GAHC010031132026



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

Case No. : AB/385/2026

GAUTAM NAMASUDRA
SON OF- LATE GOUR MOHAN NAMASUDRA, RESIDENT OF VILL.-
JIRIGHAT GRANT NEW COLONY, P.O. P.S.- JIRIGHAT, DISTRICT- CACHAR,
ASSAM. PIN-788104.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. L R MAZUMDER, MR. A ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

23.02.2026

Heard Mr. L.R. Mazumder, learned counsel for the accused/ applicant. Also heard Mr. K.K. Parasar, learned APP for the State.

2. This is an application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking bail for the accused/applicant in connection

with Jirighat P.S. Case No. 35/2023, corresponding to G.R. Case No. 412/2023, registered under Sections 448/307/326/366 of the Indian Penal Code.

3. The allegations as narrated in the FIR dated 03.12.2023 are, inter alia, that the informant's cousin had, for the last few years, been harbouring jealousy towards the family of the informant. It is alleged that on 01.02.2023 at about 8:00 p.m., the accused/applicant entered the house of the informant armed with a dao with the intention to kill him. Thereafter, the accused allegedly attacked the informant with the dao and also struck him on his back. It is further alleged that the accused forcibly took away the informant's wife and fled from the place of occurrence. As a result of the alleged incident, the informant sustained serious injuries.

4. The learned counsel for the accused/applicant submits that the allegations made in the FIR are entirely concocted and fabricated. It is contended that the wife of the informant had voluntarily gone with the accused person and that no offence of abduction, as alleged, has been committed by the accused/applicant. It is further submitted that the accused has been falsely implicated in the present case due to prior enmity and misunderstanding between the parties. In view of the aforesaid facts and circumstances, learned counsel prays that the accused/applicant be allowed to go on pre-arrest bail at this stage.

5. This Court has gone through the materials brought on record, including the statement of the victim, namely the wife of the informant, recorded before the police, and upon perusal of the relevant materials available in the case diary, this Court is of the considered opinion that, at this stage, the accused/applicant is entitled to be granted pre-arrest bail. Accordingly, it is directed that in the event of arrest of the accused/applicant by the Investigating Authority in connection with PRC No. 122/2024, he shall be released on bail on furnishing a

bail bond of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of like amount to the satisfaction of the learned SDM (M), Lakhipur, Cachar, subject to the following conditions:

- (i) That the accused/applicant shall appear before the Investigating Officer within a period of 10 (ten) days from the date of passing of this order;
- (ii) That the accused/applicant shall cooperate with the investigation and shall make himself available as and when called for by the Investigating Officer;
- (iii) The accused/applicant shall not, directly or indirectly, attempt to influence, intimidate, or tamper with any witness or evidence in any manner whatsoever.

6. Accordingly, in view of the aforesaid directions, the instant anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant