

GAHC010039112026



2026:GAU-AS:3169

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

Case No. : AB/419/2026

SRI SUMIT AGARWAL
S/O LATE RAM NIWASH AGARWAL, R/O FLAT NO 301, SWEDA TOWER,
BILLPARA ROAD, CHATTRIBARI, GUWAHATI 781008, ASSAM

VERSUS

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

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

Advocate for the Respondent : PP, ASSAM,

:::BEFORE:::

HON'BLE MR. JUSTICE RAJESH MAZUMDAR

27.02.2026

Heard Mr. Sarfraz Nawaz, learned counsel for the petitioner. Also heard Mr. D.P. Goswami, learned Addl. P.P Assam, appearing for the State.

2. This is an application under Section 482 of the BNSS, 2023, praying for transit anticipatory bail

for the petitioner, namely, Sri Sumit Agarwal, in connection with (Kotwali Bhilwara PS Case No. 43/2026, registered under Sections 316(2) and 318(4) of the BNS, 2023).

3. It has been submitted that the petitioner has received a notice under Section 353 of the BNSS, asking him to appear before the Police Authorities at Keryslay, City Kothawali District Bilwara Rajasthan.

4. The learned counsel for the petitioner submits that the petitioner is ready to co-operate with the investigation, since it is a claim for money arising out of a contract and he is also ready to appear before the competent Jurisdictional Court to pray for anticipatory bail at Rajasthan. If granted opportunity to travel to Rajasthan without being taken into custody, he would appear before the Jurisdictional Court in Rajasthan within a period 10 days from today.

5. Accordingly, this Court deems it a fit case to allow the prayer of the petitioner. It is provided that the petitioner shall appear before the Jurisdictional Court on or before **10th of March, 2026** to prefer petitions seeking privilege of pre arrest bail in connection with the matter. However, in the interim, if prior to 10.03.2026 he is arrested in connection with the summons in (Kotwali Bhilwara PS Case No. 43/2026, registered under Sections 316(2) and 318(4) of the BNS, 2023) he shall be released on bail on furnishing a bond of Rs.20,000/- before the arresting authority to its satisfaction, so that he can appear before the learned Jurisdictional Court at Rajasthan, subject to the following conditions that:

- i) That the accused/petitioner shall appear before the jurisdictional Court on or before 10.03.2026; and
- ii) That the accused/petitioner shall not hamper or tamper with the evidence of the instant case in any manner.

7. Anticipatory bail stands disposed of.

JUDGE

Comparing Assistant