

GAHC010050062026



2026:GAU-AS:5636

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

Case No. : AB/595/2026

PINTO ALI ALIAS SYED PINTO ALI
S/O AINUR ALI, R/O PIALIKHATA, P.S. CHANGSARI, DIST. KAMRUP,
ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP, ASSAM.

Advocate for the Petitioner : MR. U K BARMAN, MR. R KONWAR, MR D PEGU, MR H ALI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA

O R D E R

Date : 24.04.2026.

Heard Mr. H. Ali, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Addl. P.P., Assam appearing on behalf of the State respondent.

This is an application under Section 482 of BNSS, 2023 praying for grant of pre-arrest bail to the accused/petitioners, namely, Pinto Ali @ Syed Pinto Ali who is

apprehending arrest in connection with the Baihata Chariali P.S. Case No. 32/2026, registered under Sections 281/125(b)/105/106(1)/3(5) of the BNS, 2023.

The case diary is received and perused the same.

It is submitted by Mr. Ali, the learned counsel for the petitioner that after obtaining the order of interim pre-arrest bail dated 18.03.2026, the accused petitioner had already appeared before the I.O., cooperated in the investigation of the case and his statement is also recorded by the I.O. He further submitted that from the plain reading of the FIR and the other ingredients, there is no materials to attract an offence under Section 105 of the BNS, 2023 and it may be a case of rash and negligent driving at best. However, the accused petitioner is ready and willing to extend his further cooperation as and when required in the event of granting the privilege of interim pre-arrest bail.

Mr. Bothakur, the learned Addl. P.P., Assam submitted in this regard that after obtaining the order interim pre-arrest bail, the accused petitioner appeared before the I.O. and his statement is also recorded and cooperated with the investigation of the case.

From the materials of the case diary, it is seen that it is a case of accident wherein the petitioner had drove the tractor in a very rash and negligent manner.

Considering the submissions made by learned counsel for both sides and after perusal of the materials available in the case diary and other aspects of the case, this Court is of the opinion that custodial interrogation may not be

required in the present case and accordingly, I find it to be a fit case to extend the privilege of pre-arrest bail to the present petitioner.

In view of this, the order of inter pre-arrest bail granted to the accused petitioner on 18.03.2026, is hereby made absolute in the same terms and conditions.

With the above observation, the present bail petition stands disposed of.

JUDGE

Comparing Assistant