

GAHC010115282026



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

Case No. : AB/1231/2026

RANA MAJUMDER AND 6 ORS.
SON OF SHYAMOL MAJUMDER, RESIDENT OF LUMDING TOWN, P.O. AND
P.S.-LUMDING, DIST- HOJAI, PIN-782447, ASSAM

2: RAJESH SARKAR
SON OF PRADIP CH. SARKAR
RESIDENT OF LUMDING TOWN
P.O. AND P.S.-LUMDING DIST- HOJAI
PIN-782447
ASSAM.

3: SUBHAJIT DUTTA
SON OF DILIP DUTTA
RESIDENT OF LUMDING TOWN
P.O. AND P.S.-LUMDING
DIST.HOJAI
PIN-782447
ASSAM

4: RAHUL CHAKRABORTY
SON OF DULAL CHAKRABORTY
RESIDENT OF LUMDING TOWN
P.O. AND P.S.-LUMDING
DIST- HOJAI
PIN-782447
ASSAM

5: BINEET MALAKAR
SON OF PARITOSH MALAKAR
RESIDENT OF LUMDING TOWN
P.O. AND P.S.- LUMDING
DIST- HOJAI
PIN-782447
ASSAM

6: ROHIT CHOUDHURY
SON OF RABI CHOUDHURY
RESIDENT OF LUMDING TOWN
P.O. AND P.S.-LUMDING
DIST- HOJAI
PIN-782447
ASSAM

7: CHANDU DUTTA
SON OF MUKUL DUTTA
RESIDENT OF LUMDING TOWN
P.O. AND P.S.-LUMDING
DISTHOJAI
PIN-782447
ASSA

VERSUS

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

Advocate for the Petitioner : MR A U AHMED, MS. H SARMA

Advocate for the Respondent : PP, ASSAM, MS. S. CHANDA,MS A DAS,MR. S C BISWAS

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 10.06.2026

Heard Mr. M.K. Chodhury, learned senior counsel assisted by Mr. A.U. Ahmed, learned counsel for the accused/ applicants. Also heard Mr. B. Sharma, learned APP for the State.

2. This is an application filed under Section 482 of the BNSS, 2023 praying for granting pre-arrest bail to the accused/ applicants namely, **1. Rana Majumder, 2. Rajesh Sarkar, 3. Subhajit Dutta, 4. Rahul**

Chakraborty, 5. Bineet Malakar, 6. Rohit Choudhury, 7. Chandu Dutta in connection with Lumding P.S. Case No.79/2026 under Sections 140(3)/ 303(2)/ 117(4)/ 61(2)(a)/ 3 (5) added Sections 109 (1)/ 140(4) of BNS, 2023.

3. An FIR was lodged on 18.05.2026 by one Arijit Das alleging, inter alia, that he is a news reporter at Prahtam Khobor and is having inimical relationship with the brother of sitting MLA of Lumding LAC; that on 17.05.2026 at about 7:00PM, he along with his friends visited the Anukul Thakur Mandir and suddenly 15/16 people came with bikes and 1 (one) four wheeler and forcefully took him inside the four wheeler car after covering his face with clothes. He was taken to an unknown place and they took his mobile phone as well as Rs.3,000/- from him and thereafter, they took the informant to a spot beside Barlangfer river and after tying his hand they assaulted him. That several persons were involved in the alleged offence however, the main accused is Animesh Mishra who is involved with the aforesaid assault as well as kidnapping of the informant.

4. On receipt of the FIR, the police registered Lumding P.S. Case No.79/2026 registered under the aforementioned sections.

5. Mr. M.K. Choudhury, learned senior counsel appearing on behalf of the accused/ applicant submits that when the main accused who has been named in the instant FIR namely, Shri Animesh Mishra has already been granted bail by the learned Sessions Judge, Hojai. He further submits that there is a long standing enmity between the informant and the accused persons and the informant has been involved in black mailing of various individuals in the Hojai locality including the family members of the MLA,

Lumding LAC. He submits that in view of the aforesaid and an FIR has already been lodged by the President of Bharatiya Janata Party, Lumding Town Mandal against the informant and the informant has already arrested in connection with the aforesaid case. He further submits that accused/ applicants are not involved in the instant case and should be allowed to go on bail.

6. On the other hand learned APP that the submits case diary in the instant case will be necessary for proper adjudication of the case therefore, he opposes the pre-arrest bail at this stage.

7. After hearing the learned counsel appearing for the parties, this Court is of the considered opinion that interim pre-arrest bail should be granted to the accused/ applicants in this case. Accordingly, it is directed that in event of the arrest of the accused/ applicants in connection with Lumding P.S. Case No. 79/2026, the accused/ applicants shall be released on furnishing a bail bond of Rs. 30,000/- each (Rupees Thirty thousand only) with a surety of like nature to the satisfaction of the arresting authority subject to the following conditions:-

- a. That accused/ applicants shall appear before the investigating authority within a period of 10(ten) days from the passing of this order.
- b. That the accused/ applicants co-operate with the investigation and make themselves available as and when called for by the Investigating Officer.
- c. That the accused/ applicants shall not try to influence any witnesses that may be involved in the instant case.

8. Call for the case diary.
9. Let the matter be listed on 17.06.2026.

JUDGE

Comparing Assistant