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

Case No. : AB/1270/2026

SHRI PAWAN KUMAR AGARWALLA
S/O LATE MADANLAL AGARWALLA, R/O VILL BETONIPATHAR, PS
SARUPATHAR, DIST GOLAGHAT, ASSAM, PIN 785601

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. B B GOGOI,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date - 12.06.2026

- 1.** Heard Mr. B. B. Gogoi, the learned counsel for the petitioner. Also heard Mr. D. P. Goswami, the learned Additional Public Prosecutor for the State respondent.

- 2.** This application under Section 482 of the BNSS, 2023 has been filed by the petitioner, namely, Shri Pawan Kumar Agarwalla apprehending his arrest in Uriamghat P. S. Case No. 09/2026 under Section 305(e)/324(5)/221/351(2)/61 of the BNS, 2023 read with Section 25 (1-A) of the Arms Act with read with Section 26 of the Indian Forest Act, 1927.
- 3.** The gist of accusation in this case is that one Hiralal Paul, Range Forest Officer of Uriamghat Range, Golaghat had lodged an FIR, *inter-alia*, alleging that during field visit by the Forest Officials, it came to their notice that there is illegal stone extraction using heavy machinery during night hours and when the Uriamghat Forest Official, who conduct patrolling in the said area tried to prevent such activities, the person involved allegedly moved towards Nagaland side and from there, they used to issue threats with arms and cause great obstruction to the Government Officials in discharge of their duties.
- 4.** The learned counsel for the petitioner submits that the petitioner is a businessman and not involved in the offense alleged in the FIR. He submits that no specific accusation has been made against the present petitioner in the FIR.
- 5.** He also submits that the petitioner is ready to cooperate in the investigation.
- 6.** On the other hand, the learned Additional Public Prosecutor has raised his objection to grant of any interim protection at this stage,

considering the involvement of the offence under Arms Act in this case.

- 7.** Let the case diary be called for.
- 8.** In the meanwhile, considering the submissions made by the learned counsel for the petitioner as well as the material available on record, the above named petitioner is directed to appear before the Investigating Officer of Uriamghat P. S. Case No. 09/2026 within a period of seven days from the date of this order and cooperate in the investigation. If he does so, in the event of his arrest in connection with the aforesaid case, he shall be granted interim bail by furnishing a bail bond of Rs.30,000/- (Rupees Thirty Thousand) only with one surety of like amount to the satisfaction of the arresting authority with the following conditions:
 - i.** The petitioner shall co-operate in the investigation,
 - ii.** The petitioner shall not directly or indirectly make any inducement, threat or promise to the informant or to other person who may be acquainted with the facts of the case so as to dissuade such person from disclosing such facts before the Investigating Officer or to any Court.
- 9.** Let the case be listed on 17.07.2026.

JUDGE

Comparing Assistant