

GAHC010173272025



2026:GAU-AS:776

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

Case No. : AB/1876/2025

ROMEN DEKA AND 2 ORS.
S/O SRI ANIL DEKA
VILL- SAHAN P.O. AN DP.S. BAIHATA CHARIALI, DIST. KAMRUP, ASSAM

2: TUBUL DEKA
S/O LATE NARESWAR DEKA
VILL- BORKHORIKOT
A P.O. KENDUA
P.S. BAIHATA CHARIALI
DIST. KAMRUP
ASSAM

3: DIPAK BAISHYA
S/O LATE KARUNA DUTTA
VILL- BAREDOLA
P.O. AND P.S. BAIHATA CHARIALI
DIST. KAMRUP
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR B KAUSHIK, MS. N DAS,K BHARALI,MR. S HAZARIKA

Advocate for the Respondent : PP, ASSAM, MR. S K NATH (INFORMANT),MR P DAS (INFORMANT),MS N BARUAH (INFORMANT),MR. D SARMA (INFORMANT)

BEFORE

HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

22.01.2026

Heard Mr. S. Hazarika, learned counsel for the petitioners. Also heard Mr. B. Sarma, learned Additional Public Prosecutor for the State.

2. This petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioners, namely, **(1) Romen Deka (2) Tubul Deka (3) Dipak Baishya**, has prayed for granting pre-arrest bail, apprehending arrest in connection with **Baihata Chariali P.S. Case No. 194/2025**, registered under **Section 189(2) / 329(3)/126(2)/117(2)/118/109/311/131/296/74 of BNS, 2023**.

3. TCR has been received along with two injury reports.

4. It is submitted by the learned counsel for the petitioners that the petitioners were granted interim bail on 06.08.2025.

5. It is reflected in the FIR that an altercation took place between the petitioner and the informant side regarding a post in a facebook account of the petitioner casting certain aspersions on the informant who was elected as GP President because of which an altercation took place and in such course of the altercation, the petitioner and others assaulted the son and other family members of the informant causing grievous injuries.

6. Perusal of the medical report does not reveal any external injury although the allegation is that they were repeatedly assaulted by bamboo sticks.

7. Having regard to the fact that the investigation of the case is over

and also on perusal of injury report, I am of the view that custodial detention of the petitioner is not necessary.

8. In the above circumstances, the interim pre-arrest bail granted vide order, dated 06.08.2025 is hereby made **absolute**, subject to the following conditions-

- (i) The petitioners shall participate in the trial if one commence.
- (ii) The petitioners shall not try to intimidate the witnesses.

9. This disposes off the anticipatory bail application.

JUDGE

Comparing Assistant