

GAHC010175042025



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

**Case No. : AB/1919/2025**

AMAL DAS AND 4 ORS.  
SON OF SRI KHAGEN DAS  
VILL- KENDUA, P.O. KENDUA, P.S. BAIHATA CHARIALI, DIST. KAMRUP,  
ASSAM

2: AMAL DEKA  
S/OLATE CHANDRAMAL DEKA  
VILL- BAREDOLA  
P.S. BAIHATA CHARIALI  
DIST. KAMRUP  
ASSAM.

3: MRIGANKA BAISHYA @ MITHU BAISHYA  
S/O LATE GANESWAR BAISHYA  
VILL- BAREDOLA  
P.O. AN DP.S. BAIHATA CHARIALI

DIST. KAMRUP  
ASSAM

4: MONAJ SARMA  
S/O SRI MUKTA SARMA  
VILL- BAREDOLA  
P.O. AND P.S. BAIHATA CHARIALI  
DIST. KAMRUP  
ASSAM

5: HIRAK BAISHYA  
S/O LATE GANESWAR BAISHYA  
VILL- BAREDOLA  
P.O. AND P.S. BAIHATA CHARIALI

DIST. KAMRUP  
ASSA

VERSUS

THE STATE OF ASSAM  
REP. BY THE PP, ASSAM

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

**Advocate for the Respondent** : PP, ASSAM,

BEFORE  
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

**11.08.2025**

**1.** Heard Mr. S. Hazarika, learned counsel for the petitioners. Also heard Mr. R. J. Baruah, learned Additional Public Prosecutor for the State.

**2.** This application under Section 482 of BNSS, 2023 has been filed by the petitioners, namely, **1. Amal Das, 2. Amal Deka and 3. Mriganka Baishya @ Mithu Baishya, 4. Monaj Sarma and 5. Hirak Baishya** seeking pre-arrest bail in connection with **Baihata Chariali P.S Case No. 194/2025** registered under **Sections 189(2)/329(3) / 126(2)/117(2)/118/109/311/131/296/74 of BNS, 2023.**

**3.** Mr. S. Hazarika, learned counsel for the petitioners submits that three co-accused i.e. **1. Romen Deka, 2. Tubul Deka and 3. Dipak Baishya** were granted interim bail by this Court on

06.08.2025, further submitting that the present petitioners are villagers and have been falsely implicated. He has also drawn my attention to the social media post made by the son of the informant i.e. Sri Girin Goswami.

**4.** Upon perusing, I find that the said posts also include some slang languages. It is submitted that the version of the ejahar is concocted and a complete exaggeration. The parties might had some altercation but no such incident as described has taken place. The altercation was regarding a social media post made by son of the informant, casting aspersions on Tubul Deka and his wife, who had won a GP election, while the losing candidate was the sister-in-law of the informant's son.

**5.** Mr. R. J. Baruah, learned Additional Public Prosecutor for the State, submits that the aforementioned bail of co-accused i.e. 1. Romen Deka, 2. Tubul Deka and 3. Dipak Baishya is fixed on 27.08.2025 for case diary along with medical report.

**6.** Case diary shall be requisitioned.

**7.** Therefore, in the interim, in the event of their arrest in connection with this case, the petitioners namely, **1. Amal Das, 2. Amal Deka and 3. Mriganka Baishya @ Mithu Baishya, 4. Monaj Sarma and 5. Hirak Baishya** shall be allowed to go on **bail of Rs.25,000/- (Rupees Twenty Five Thousand)** only **each** with one surety **each** of the like amount subject to the satisfaction of the arresting authority with following conditions:

*I) That the petitioners shall co-operate in the*

*investigation and appear before the I.O for recording their statement;*

*II) That the petitioners shall not hamper or tamper with the evidence.*

*III) That the petitioners shall not directly or indirectly make any inducement, threat or promise to any person who may be acquainted with the facts of the case so as to dissuade such person from disclosing such facts of the case before the Investigating Officer;*

- 8.** Violation of the bail conditions might entail cancellation of the interim bail.
- 9.** List on 27.08.2025 for case diary along with medical report.

**JUDGE**

**Comparing Assistant**