

GAHC010198652025



2026:GAU-AS:2790

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

Case No. : AB/2110/2025

POOJA SAIKIA
D/O GIRIDHAR SAIKIA

R/O DERGAYAN GAO
TATABAHAR STATION ROAD
NARAYANPUR
P.O. PADAMPUR
P.S. RESIDING IN HOSTEL NO. 6
GMCH PG GIRLS HOSTEL
781019
P.O. AND P.S. BHANGAGARH
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM

Advocate for : MR. N J GOGOI
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA

ORDER

24-02-2026

Heard Mr. N. J. Gogoi, learned counsel for the petitioner and Mr. P. Borthakur, learned Additional Public Prosecutor, for the State respondent.

2. This is an application under Section 482 BNSS, 2023 praying for grant of pre-arrest bail to the accused/petitioner, namely, **Pooja Saikia** who is apprehending arrest in connection with **Bhangagarh P.S. Case No.140/2025** registered under Sections 105/3(5) of BNS, 2023.

3. Case diary received. Perused the same.

4. It is submitted by Mr. Gogoi, learned counsel that the present petitioner was granted interim bail vide order dated 08.09.2025 and her statement has already been recorded and she never jumped with any condition of the interim bail and she is cooperating with the investigation of the case. He further submitted that the petitioner has not committed any such offence and she is a 1st year P.G. student.

5. Mr. Borthakur, learned APP submitted in this regard that the petitioner's statement is already available in the case diary and the post mortem report is also received, however, the cause of death could not be ascertained till date as the FSL report is still awaited.

6. Mr. Borthakur, learned APP further submitted that the last entry in the case diary is of 03.12.2025 and reminder was issued to the I.O. for updation of the case diary. He further submitted that the case is pending since long and the statement of the petitioner has already been recorded which is available in the case diary, though there are some incriminating materials in the case diary against the

petitioner.

7. Hearing the submission made by the learned counsel for both sides and also considering the materials available in the case diary and also considering the fact that the petition is pending since long, I find that custodial detention/interrogation of the petitioner may not be required for the purpose of investigation of the case and accordingly I find it a fit case to extend the privilege of pre-arrest bail to the petitioner.

8. Accordingly, the interim pre-arrest bail granted to the petitioner vide order dated 08.09.2025 is hereby made absolute on the same terms and conditions.

9. Further, the petitioner is directed to appear before the I.O. every fortnightly or as and when required for the purpose of investigation of the case.

10. With the above observation and direction, this pre-arrest bail application stands disposed of.

11. Return the case diary herewith.

JUDGE

Comparing Assistant

