

GAHC010214402025



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

Case No. : AB/2312/2025

MOON AHMED
S/O SAIDUL ISLAM
R/O 379, BASTOR P.O.AND P.S. B ASTOR
DIST. NALBARI, ASAM, PIN-781303,

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. B D KONWAR SR. ADV., MR P DOLEY,MS. B SOREN,MS M ZOMUANPUII,MS S JAIN,MR H AGARWAL

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

19.09.2025

- 1.** Heard Mr. B.D. Konwar, learned senior counsel for the petitioner. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State.
- 2.** This petition under Section 482 of the BNSS, 2023 has been

filed by the accused petitioner, namely, **Moon Ahmed**, seeking pre-arrest bail in connection with **Dhekiajuli PS Case No.163/2025 under Sections 316(5)/318/314/3(5) of BNS, 2023.**

3. The FIR dated 11.06.2025 was lodged before the Dhekiajuli P.S by Regional Head Auditor for Asirvad Microfinance Ltd.

4. The gist of the accusation in this case is about misappropriation of gold deposited by customers. Two accused persons are named including the present petitioner, who was apparently the Branch Head where the alleged offence took place.

5. The learned senior counsel for the petitioner submits that the petitioner at this stage seeks interim protection to go and appear before the I.O.

6. It is also pointed out from the copies annexed that two co-accused including one named accused were granted regular bail by this Court.

7. On the other hand, the learned Additional Public Prosecutor for the State vehemently opposes the prayer for bail pointing out the implications against the present petitioner and also stating that the bail granted to the other two persons was primarily due to the length of detention and stand on a different footing.

8. I have perused the detailed FIR. The present petitioner is stated to be the prime accused and also stated to have been missing since the date of the alleged incident. One of the statements in the FIR is that – there was a replacement of originally placed gold with fake items, suggesting a pre-planned misconduct intended to cause

financial loss to the company and its customers.

9. In the given situation, it may not be prudent to allow the prayer for interim protection and the same stands **rejected**.

10. However, Call for the case diary of Dhekiajuli PS Case No.163/2025 from the concerned police station.

11. List on 25.09.2025.

JUDGE

Comparing Assistant