

GAHC010216972025



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

Case No. : AB/2330/2025

SUSIL DAS AND ANR
S/O SRI ATUL DAS
RO GARAKA , PO BARDANGERIKUCHI , PS BAIHATA CHARIALI , DIST
KAMRUP ASSAM

2: PUJA NATH DAS
RO GARAKA
PO BARDANGERIKUCHI
PS BAIHATA CHARIALI
DIST KAMRUP ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. A SAIKIA, B DEKA, MR. A S ALI, MR. N K DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

22.09.2025

Heard Mr. S. M. Abdullah, learned counsel for the petitioners and Mr. K.
Baishya, learned Addl. P.P., Assam for the State.

By this application filed under Section 482 of the BNSS, 2023 the petitioners, viz., **1) Sushil Das and 2) Puja Nath Das** have prayed for pre-arrest bail in connection with Goreswar Police Station Case No.59/2025 registered under Sections 117(2)/351(2)/74/75/76 of the BNS, 2023.

The F.I.R. dated 21.08.2025 reveals that the petitioners had physically assaulted the informant with bamboo on 06.07.2025 at about 9.30 p.m. and that the complainant got injured and that the petitioner No.1 had also tried to establish physical relationship with the complainant.

Mr. S. M. Abdullah, learned counsel for the petitioners submits that the story projected in the F.I.R. is a concocted one and he has placed his pleadings at para 4 wherein it is stated that the petitioners have appeared before the police when they were called and had given their statement before them and has cooperated with the investigation.

Mr. Baishya, learned Addl. P.P. for the State has vehemently objected to the grant of pre-arrest bail and submits that the F.I.R. reveals that the complainant got injured and has prayed for calling of the Case Diary along with the injury report.

I have seen the copy of the F.I.R. as well as other documents on record. It is seen that the incident had taken place on 06.07.2025. The F.I.R. was lodged on 21.08.2025 and it is also submitted that the petitioners have appeared before the Investigating Officer on being called and their statements have been recorded. In view of the above, this Court finds it fit that the petitioners may be

released on pre-arrest bail furnishing of a bail bond of Rs.20,000/- each with one local surety each of the like amount to satisfaction of the arresting authority under the following conditions :-

- (1) That the petitioners shall cooperate with the investigation and shall appear before the Investigating Officer as and when called for.
- (2) That the petitioners shall not tamper with the evidence and shall not influence the witnesses connected with the case.
- (3) That the petitioners shall not leave the jurisdiction of the arresting authority without prior permission.

The Anticipatory Bail Application stands disposed of.

JUDGE

Comparing Assistant