

GAHC010226192025



undefined

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

Case No. : AB/2492/2025

BISWAJIT SAIKIA AND ANR
S/O- DHIREN SAIKIA.
VILL- CHOTOHAIBORGAON, P.S.- SADAR, PIN - 782003, DIST.- NAGAON,
ASSAM.

2: PURNA BORDOLI
S/O- BHABENDRA BORDOLOI.
R/O- LALMOIGAON.
PUKHURIPAR NEAR LP SCHOOL.
P.O. AND P.S.- BEBEJIA
DIST.- NAGAON
PIN - 782142

VERSUS

STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. K K DEY, MR V K BAROOAH

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR
ORDER

23/10/2025

Heard Mr. K K Dey, learned counsel for the petitioners and Mr. K K Parashar, learned Additional Public Prosecutor, Assam for the State respondent.

2. Issue notice.

3. Call for the case diary.

4. The present application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been instituted praying for grant of pre-arrest bail to the petitioners, **(1) Biswajit Saikia** and **(2) Purna Bodoloi**, in connection with Chandmari P.S. Case No. 203/2025 registered under Sections 316(2)/318(4)/319(2)/336(3)/338/61(2)(a) BNS, 2023.

5. The FIR dated 08.08.2025 reveals that an union namely, Bharatiya Railway Mall Godown Shramik Sangh headed by one Mr. Manoranjan Kumar Ranjan along with other have been operating in various parts of the country since long back but the same was alleged to be a fake Railway Union running across the country and the same was not related to Indian Railway and its working of loading and unloading. In the said FIR, the petitioners are named as accused along with many others. It is also alleged that the petitioners and others collects money for providing membership of their union and had collected money from even the enrolled members.

6. Mr. K K Dey, learned counsel for the petitioners, however, submits that the witnesses which were arrayed in the said FIR, more specifically witness No. 6 i.e. Mr. Champak Kumar Bora was a member of the union but he was expelled for acting against the constitution of the Sangh and that he also states that the relatives of the petitioners were enticed for giving jobs in the Railways as it was pleaded in the said petition by the main culprit.

7. Mr. K K Parashar, learned Additional Public Prosecutor for the State of Assam submits

that the petitioners are named as the main culprits along with others in the FIR and that the offence is also grave in nature for which he submitted that custodial interrogation of the petitioners would be necessary.

8. On consideration of the submissions made by the learned counsel, this Court is of the considered view that at this stage, custodial interrogation of the petitioners would not be called for.

9. In view of the same, this Court deems it fit to release the petitioners, **(1) Biswajit Saikia** and **(2) Purna Bodoloi**, on interim pre-arrest bail on furnishing of a bail bond of Rs.20,000/- (Rupees Twenty Thousand) each, along with 1(one) local surety each of the like amount to the satisfaction of the arresting authority under the following conditions :

(i) The petitioners shall co-operate with the investigation and appear before the I/O within 7(seven) days from the date of this order;

(ii) The petitioners shall not tamper with the evidence or influence the witnesses connected with the case;

10. List this matter again on **06.11.2025** along with AB No. 2152/2025. On the next date of listing, the learned Additional Public Prosecutor, Assam shall produce the case diary.

JUDGE

Comparing Assistant