

GAHC010234792025



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

Case No. : AB/2514/2025

RUSHNA BEGUM LASKAR
W/O MAHMOOD HUSSAIN LASKAR , RO BASHDAHAR PART 2 , PS AND
DIST HAILAKANDI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A M BARBHUIYA, MS S R MAZARBHUIYA, MS A BEGUM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 24-10-2025

Heard Mr. A.M. Barbhuiya, learned counsel for the applicant. Also heard Mr. M.P. Goswami, learned Addl. P.P. Assam appearing for the State.

2. The present application has been instituted praying for pre-arrest bail to the petitioner, namely, Rushna Begum Laskar, in connection with Hailakandi P.S. Case No.

89/2025 registered under Section 61(2)/318(4)/316(5) of BNS, 2023 corresponding to G.R. Case No. 290/2025.

3. Upon perusal of the FIR dated 29-07-2025 it is revealed that the petitioner, herein, who was the Gaon Pradhan President of Bashdahar Barhailakandi Gaon Panchayat was involved in misappropriation of fund allocated to the Gaon Panchayat under the 15th Finance Commission Grants 2023-24 untied funds.

4. The petitioner in the present application in paragraph 5 has taken the following stand:-

“5. That the petitioner begs to submit that, after completion of her tenure in the year 2018-2023, the fund of 15th Finance Commission Grants 2023-24 was allocated for two construction works, namely, (1) Const. of CC Block Road Starts from 871 No. Mirargram LP School to Roy para Kalibari at Bashdahar - Amount Rs-978700/- and (2) Construction of RCC culvert at Inglaikhal near the house of Khalil Uddin at Bashdahar - Amount Rs-300000/-. The petitioner has no connection with the said subsequent works which were executed after her exit from the Panchayat Office.”

5. Considering the said stand taken by the petitioner in the bail application, which reflects that works were executed with the funds allocated by the 15th Finance Commission, only after completion of the tenure of the petitioner, herein, this Court is of the considered view that the petitioner, herein, would be required to extend the benefit of interim pre-arrest bail.

6. The above position is, however, disputed by Mr. M.P. Goswami, learned Addl. P.P. Assam, who submits that considering the nature of allegation levelled against the

petitioner, herein, any order granting bail to the petitioner be so passed by this Court after perusal of the Case Diary.

7. Issue notice.

8. Call for the Case Diary.

9. I have heard the learned counsel for the parties. In consideration of the contentions raised by the petitioner in the bail application, more particularly, that so raised in paragraph 5, extracted hereinabove, this Court is of the prima facie view that the petitioner is entitled to the benefit of interim pre-arrest bail.

10. Accordingly, in the event of arrest, the petitioner, namely, **Rushna Begum Laskar** be released on interim pre-arrest bail on furnishing a bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with 02 (two) local sureties of like amount to the satisfaction of the arresting authority, subject to the following conditions.

(a) The petitioner, herein, shall appear before the Investigating Officer on or before 04-11-2025, and have her statement recorded. The petitioner shall thereafter continue to cooperate with the Investigating Officer in the investigation of the case;

(b) The petitioner, herein, shall not, directly or indirectly, make any inducement, threat or promise to any person, acquainted with the facts of the case so as to dissuade him from disclosing the facts to the Investigating Officer/ Court;

(c) The petitioner, herein, shall not leave the jurisdiction of the learned Chief Judicial Magistrate, Hailakandi, without prior permission.

11. Any violation of the conditions of interim pre-arrest bail as set out, hereinabove, in

this order, would automatically lead to cancellation of the liberty granted to the petitioner, herein, by this Court.

12. Registry to list this case again on 11-11-2025 for production of the Case Diary.

JUDGE

Comparing Assistant