

GAHC010234792025



2026:GAU-AS:780

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 SANJEEV KUMAR SHARMA

ORDER

Date : 22.01.2026

Heard the learned counsel for the petitioner and the learned Addl. P.P., Assam.

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.

Upon perusal of the FIR dated 29-07-2025, it is revealed that the petitioner, 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.

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 Rs978700/- 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.”

By order dated 24.10.2025, interim protection was granted to the petitioner by this Court.

It transpires that the works were executed with the funds allocated by the 15th Finance Commission only after completion of the tenure of the petitioner. However, it also transpires that prior to passing of the aforesaid interim order dated 24.10.2025, the charge sheet had already been submitted on 05.10.2025.

Having regard to the fact that the investigation is over and the fact that the petitioner is a lady suffering from various ailments, it would not be necessary to confine her into the custody for the purpose of trial and, as such, the prayer for pre-arrest bail is allowed.

Accordingly, the interim order dated 24.10.2025 is hereby made absolute

subject to the same terms and conditions.

It is further provided that since the charge sheet has been submitted, the petitioner shall participate in the trial regularly.

The petition stands disposed of accordingly.

JUDGE

Comparing Assistant