

GAHC010250242025



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

Case No. : AB/2698/2025

SRI DIPANKAR BORAH
S/O-SRI MANIK BORAH, R/O-SOLENGIGURI, P.O.- SOLENGIGURI, P.S.-
GOHPUR, DIST.-BISWANATH, ASSAM, PIN-784168

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. L GOGOI,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE PRANJAL DAS
ORDER

27/11/2025

Heard Mr. L Gogoi, learned counsel for the petitioner and Mr. P Borthakur, learned Additional Public Prosecutor, Assam for the State respondent.

2. This application has been filed under Section 482 of the Bharatiya Nagarik

Suraksha Sanhita, 2023, whereby the petitioner, namely, **Sri Dipankar Borah**, has prayed for granting pre-arrest bail in connection with Gohpur P.S. Case No.17/2025 under Sections 305(a) and 317(2) of the BNS, 2023, R/W Section 7 of the Essential Commodities Act, 1955.

3. The allegation in the FIR dated 07.02.2025 against the petitioner is of illegally storing diesel and running a business of selling the same.

4. It is submitted by the learned counsel that though the provisions of BNS pertaining to theft and dishonestly receiving stolen property has been given, but if at all, only Section 7 of the Essential Commodities Act, 1955 might come and that the said offence is bailable.

5. It is submitted by the learned counsel for the petitioner that the petitioner is willing to co-operate with the investigation.

6. The case diary is not yet received.

7. Issue reminder for the same.

8. However, in the given situation, it is directed that in the event of arrest of the petitioner, named above, he shall be released on bail, in connection with the above case, on furnishing bail bond of Rs.25,000/- with one surety of like amount to the satisfaction of the arresting authority, subject to the following conditions:

(i) the petitioner shall co-operate with the investigation;

(ii) the petitioner shall appear before the Investigating Officer for recording his statement; and

(iii) the petitioner shall not misuse his liberty to commit any illegal activities.

9. List this matter again on **06.01.2025**.

JUDGE

Comparing Assistant