

GAHC010274262025



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

Case No. : AB/2916/2025

NETRA KAMAL KAKATI AND ANR
S/O LATE BHABENDRA KUMAR KAKATIR/O VILLAGE DA-GAON, P.S.
JURIA, DHING, DISTRICT- NAGAON, PIN-782124, ASSAM

2: DEBAJANI KAKATI
W/O NETRA KAMAL KAKATIR/O VILLAGE DA-GAON
P.S. JURIA
DHING
DISTRICT- NAGAON
PIN-782124
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MD S ULLAH, MS. RUKMINI BARUA, MS. PADMINI BARUA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

11.12.2025

Heard Ms. R. Baruah, learned counsel for the petitioners. Also heard
Mr. K. K. Parasar, learned Addl. P.P., Assam appearing for the State.

This is an application under Section 482 of the BNSS, 2023 praying for pre-arrest bail to the petitioners viz., 1) Netra Kamal Kakati and 2) Debajani Kakati in connection with Juria P.S. Case No.297/2025 registered under Sections 121(2)/132/296/3(5) of the BNSS, 2023.

Call for the Case Diary.

Heard on the prayer for interim relief.

The learned counsel for the petitioners submits that the petitioners apprehend arrest in connection with the aforesaid case. The petitioners are the husband and wife and she submits that due to an altercation which took place regarding parking of car during the Rakh festival blocking the gate of the petitioners' house, the matter was reported to the police. The learned counsel for the petitioners submits that although the petitioners had initially visited the Police Station to lodge an F.I.R., it was refused and no further action was taken asking that the matter would be compromised. But on the next day, it came to light that an F.I.R. has been lodged by the In-Charge, Dagaon Police Petrol Post against the petitioners alleging verbal abuse of the informant and some police personnel. The learned counsel for the petitioners has submitted that the F.I.R. does not reveal that any attempt was made to detain the petitioners on 01.12.2025 itself when the alleged incident occurred and instead the F.I.R. has been lodged on the next day of the alleged incident.

The learned Addl. P.P. submits that there are allegations in the F.I.R. that the petitioners had assaulted and attacked the police officers inside the Police Station premises itself and therefore, they may not be released on pre-arrest bail in the interest of investigation of the case.

Having heard the learned counsel for the respective parties and after perusal of the materials available on record, in the interim, it is provided that in the event of arrest of the petitioners in connection with the aforesaid case, they shall be released on bail on furnishing a bail bond of Rs.20,000/- each with one surety each of the like nature to the satisfaction of the arresting authority, subject to the condition that the petitioners shall appear before the Investigating Officer within 7 (seven) days from today to have their statements recorded and shall cooperate with the investigation.

List the matter on 22.01.2026 along with the updated Case Diary.

JUDGE

Comparing Assistant