

GAHC010277082025



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

Case No. : Crl.Pet./1577/2025

LITUL BORAH AND ANR
S/O-ROMESH BORAH, SESSA KAKH GAON, SESSA KASA, DIBRUGARH,
ASSAM, PIN-786184.

2: LAKHINDRA BORAH
S/O-ROMESH BORAH
SESSA KAKH GAON
SESSA KASA
DIBRUGARH
ASSAM
PIN-786184

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY PUBLIC PROSECUTOR, ASSAM.

2:SIKHAR BORDOLOI
INSPECTOR SECURITY
FOR CHIEF GENERAL MANGER-SECURITY
FOR RESIDENT CHIEF EXECUTIVE

Advocate for the Petitioner : MR B P BORAH, MISS. J GOGOI,MR. A KHANDAKAR,MR P J DUTTA

Advocate for the Respondent : PP, ASSAM, MR D BANERJEE(R2)

**BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN**

ORDER

Date : 18-02-2026

Heard Mr. BP Borah, learned counsel for the petitioners. Also heard Mr. PJ Deka, learned counsel for the respondent No. 2 as well as Mr. B Sarma, learned Additional Public Prosecutor appearing for the State respondent.

Mr. Borah, learned counsel for the petitioners submits that the petitioners are agreeable to face the trial and that they made a prayer for pre-arrest bail during the said period on the ground that although there is a bar under Section 16(D) of the Petroleum and minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 but he submits that the bar only operates in case the charges are under Section 15(4) of the said Act and he further submits that Section 15(4) is not attracted in the instant case. However, on a pointed query that the bail cannot be asked for in a petition filed under Section 528 of the BNSS, 2023, i.e., the inherent power, Mr. Borah, learned counsel for the petitioners submits that he would like to go into the legal issue and prays for some time.

Prayer is allowed.

List the matter on 26.02.2026.

JUDGE

Comparing Assistant