

GAHC040004042026



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

Case No. : AB/28/2026

Bivash Chakraborty
Son of Biman Chakraborty, resident of Church Road, Dimapur MC, District Dimapur,
Nagaland.797112

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : D Medhi, Prakash Sonowal

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 24-04-2026

None appears for the accused/applicant on call. Heard Ms. T. Jini, learned Additional Public Prosecutor for the State.

2. This is an application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying for grant of pre-arrest bail to the accused/applicant, namely, *Shri Bivash Chakraborty*, in connection with Pasighat

P.S. Case No. 07/2026 under Sections 319(2)/3(5) of the Bharatiya Nagarik Sanhita (BNS), 2023.

3. The case emanates from an F.I.R. dated 29.12.2025, lodged by one *Shri Minkut Kakki*, alleging that he had, through his relative, come into contact with *Shri Rupjyoti Das* and his associate *Shri Bivash Chakraborty* in connection with purchase of a motor vehicle, namely Mahindra Scorpio Classic S11 or Maruti Grand Vitara Hybrid and that the said *Shri Rupjyoti Das* represented and assured delivery of the said vehicle upon receipt of consideration. It is alleged that acting upon such assurance, the informant transferred a total sum of Rs. 9,00,000/- (Rupees Nine Lakhs only) on 23.05.2025, out of which Rs. 3,70,000/- (Rupees Three Lakhs Seventy Thousand only) was transferred to the HDFC Bank account of *Shri Rupjyoti Das* and Rs. 5,30,000/- (Rupees Five Lakhs Thirty Thousand only) to the SBI account of his father, *Shri Mahendra Das*; however, despite receipt of the said amount, the promised vehicle was not delivered nor was the advance money refunded and repeated demands made by the informant were allegedly evaded. It is further alleged that subsequently a Mahindra XUV700 vehicle bearing registration No. AS-01FJ-6309 was handed over for temporary use in lieu of the promised vehicle, which is also stated to be involved in a pending case at Pasighat Police Station; and thereafter the accused persons, along with unknown others, failed to complete the transaction and continued to withhold the consideration amount, thereby causing financial loss and mental harassment to the informant and that they are part of an alleged modus operandi involving cheating, forgery and unlawful inducement of innocent persons.

4. Though the applicant is not represented today, Ms. T. Jini, learned

Additional Public Prosecutor for the State, by placing the Case Diary, submits that the statement of the accused/applicant has already been recorded and is cooperating with the investigation and that his further custodial interrogation would no longer be required.

5. Having considered the submission of the learned Additional Public Prosecutor and upon perusal of the Case Diary, it appears that the accused/applicant is cooperating with the investigation and his custodial interrogation is no longer warranted.

6. Accordingly, the interim pre-arrest bail granted to the accused/applicant, namely, *Shri Bivash Chakraborty*, in connection with Pasighat P.S. Case No. 07/2026 under Sections 319(2)/3(5) of the Bharatiya Nagarik Sanhita (BNS), 2023, vide order dated 23.03.2026, is hereby made absolute on the same terms and conditions.

7. The anticipatory bail application stands allowed and disposed of.

JUDGE

Comparing Assistant