GAHC010229832026

2026:GAU-AS:15804

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

Case No. : Bail Appln./3352/2026

SRI AKASH KUMAR MAURYA AND 2 ORS.
S/O SRI ANIRUDDHA MAURYA, R/O NARAYANPUR, KAPTANGANG,
KUSHINAGAR, UTTAR PRADESH

2: SRI VISHAL MAURYA
S/O SRI ANIRUDDHA MAURYA
R/O NARAYANPUR
KAPTANGANG
KUSHINAGAR
UTTAR PRADESH

3: SRI KULDEEP NISHAD
S/O BIJAY NISHAD
R/O AGATHA
KAPTANGANG
KUSHINAGAR
UTTAR PRADES

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR R DHAR, J DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

Date : 15.10. 2026

Heard Mr. R. Dhar, learned counsel appearing for the petitioner. Also heard Mr. D.P. Goswami, learned Addl. P.P. for the State of Assam.

2. This is an application under Section 483 of the BNSS, 2023 for granting bail to the petitioners, namely, Sri Akash Kumar Maurya, Sri Vishal Maurya and Sri Kuldeep Nishad, in connection with the Rangia P.S. Case No. 340/2026 under Section 309 (4) of BNS, 2023.

3. The FIR dated 30.09.2026 reflects that the informant had complained that the petitioners herein had been spotted moving suspiciously and on conducting a search, a toy pistol and cash amount of Rs.91,500/- (rupees ninety one thousand and five hundred) were recovered from their possession. It was on their suspicious movement and conduct that the petitioners may be planning to commit a robbery at some place, they were apprehended and handed over to the police station.

4. Accordingly, Rangia P.S. Case No.340 of 2026 has been registered where the petitioners had been arrested.

5. The learned counsel for the petitioner has submitted that the seizure list would reflect that a toy gun had been recovered along with the cash money.

6. The learned counsel for the petitioner has further submitted that the petitioner No.3 is aged about 17 years and, therefore, his continued arrest in any view of the matter would be illegal.

7. The learned Addl. P.P has drawn attention to the fact that the forwarding report contains the age of the petitioner No.3 as 19 years, which is disputed by the learned counsel for the petitioner by producing a copy of the Aadhaar card of the petitioner before this Court.

8. Having regard to the nature of allegations levelled against the petitioners herein and without commenting upon the juvenility of the petitioner No.3, this Court notices that the recovery from the petitioners is of a toy gun, which cannot be a crime in any view of the matter and further, they have only been apprehended on a suspicion that they may be planning a robbery, I do not find any reason to allow further custody of the petitioners. Accordingly, the petitioners shall be released on bail on furnishing a bond of Rs.10,000/- each with one surety of the like amount each to the satisfaction of the learned SDJM, Rangia, Assam, who shall be at liberty to impose such other conditions as may be necessary to ensure the participation of the petitioners in further investigation.

9. Accordingly, this bail application stands disposed of.

JUDGE

Comparing Assistant