GAHC010231932026

2026:GAU-AS:15754

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

Case No. : Bail Appln./3368/2026

ROHIT PRASAD
S/O- SRI RAJDEO PRASAD, RESIDENT OF NEW BALIBAT, WARD NO.- 8, P.S.- JORHAT, DIST.- JORHAT, ASSAM

VERSUS

THE STATE OF ASSAM
TO BE REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR B P BORAH, MR H MAZUMDER

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 15-10-2026

Heard Mr H Mazumdar, learned counsel for the petitioner. Also heard Ms SH Bora, learned Additional Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for bail in connection with Jorhat PS Case No. 285/2026, registered under Sections

305(a)/317(2)/317(5)/56/61(2)/3(5) of the BNS, 2023.

3. The FIR in connection with which the petitioner was arrested on 04.09.2026, was lodged by one Jai Kumar Agarwal, stating, inter alia, that when he and his wife were away at Pune for medical treatment, their son left his residence with his belongings and certain articles available in the house. He further stated his son was traced and was found at Ahmedabad, Gujarat, and thereafter, came to know that various valuable articles were taken by him. It is also stated in the FIR that during enquiry, it was found that one Jitu Somani was involved in the offence and that said Jitu had handed over the articles to the petitioner and that petitioner, upon enquiry, said that he delivered those to a jeweller.

4. The learned counsel for the petitioner submits that the petitioner is not involved in the offence and that he was given the articles by another co-accused and that he had given those to another person.

5. Ms SH Bora, learned Additional Public Prosecutor, on the other hand, submits that the complicity of the petitioner is writ large in the FIR as well as in the forwarding report and as such, has objected to grant of bail.

6. Upon consideration of the submissions made by the learned counsels, more so, in view of the fact that the name of the petitioner was taken only by a co-accused, whose name is also not referred in the FIR, this Court enlarges the petitioner on bail on furnishing bail bond of Rs. 20,000/-, with one local surety each to the satisfaction of the learned CJM, CJM, Jorhat, under the following conditions:-

i) the petitioner shall appear before the concerned IO and Court, as and when called for; without fail;

ii) the petitioner shall not hamper and tamper with the evidence of the case, and/or influence the witnesses; and

iii) the petitioner shall not leave their residence without prior permission of the Investigating Officer.

7. Bail Application stands disposed of.

JUDGE

Comparing Assistant