GAHC010237692026

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

Case No. : Bail Appln./3424/2026

RUPAM DAS
S/O PUTU DAS, R/O BIBIJANGAON, P/O AND P/S TITABOR, DIST-JORHAT, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR P SONOWAL, MR K THAKUR,MR D MEDHI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 15.10.2026

Heard Mr. D. Medhi, learned Counsel for the petitioner and Ms. SH Bora, learned Additional Public Prosecutor for the State.

2. By this application, the petitioner has prayed for bail in connection with Gorchuk PS Case No. 258/2026 registered under Section 61(2) as well as 318(4) of the BNS, 2023. The FIR in connection with which the petitioner was arrested

on 12.10.2026 lodged by one Subrajit Nandi stating inter alia that he came in contact with a person through the social media, who introduced himself as being involved in an investment scheme in the stock market and asked him to invest an amount of Rs. 1 lakh and that in return he will give double the amount. It is further stated that on 12.10.2026, when he went to the area where he was called, a vehicle stopped at the spot where he was waiting and the person inside the same took an amount of Rs. 1 lakhs from him and gave him a bag stating that it contains Rs. 2 lakhs but when he open the packet, he get only one milk packet inside and as such, the FIR was lodged.

3. The learned Counsel for the petitioner submits that the petitioner is not involved in the offence and that while he was returning the vehicle to the company, he was arrested by the Police. He also submits that in offences, which entails a punishment of less than 7 years, the police should give a notice under Section 35(3) of the BNSS.

4. On the other hand, Ms. SH Bora, learned Additional Public Prosecutor for the State submits that the number of the vehicle was stated before the Police by the victim and the petitioner was found driving the said vehicle and as such, he was arrested.

5. Upon considerations of the submissions made by the learned Counsels for the parties, more so in view of the fact that it is not found anywhere that the petitioner was identified by the informant, this Court deems it fit to enlarge the petitioner on bail on furnishing of bail bond of Rs. 20,000/- with one local surety of the like amount to the satisfaction of the CJM, Kamrup(M) under the following conditions:

i) the petitioner will appear before the Investigating Officer as and when

called for.

ii) the petitioner will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iii) the petitioner will not leave the place of jurisdiction without the permission of the concerned Court.

6. Petition is disposed of.

JUDGE

Comparing Assistant