

GAHC010143242024



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

**Case No. : AB/1893/2024**

PRADIP BISWAS  
S/O LATE RABEN BISWAS  
R/O VILL- KHOLONI, P.O. AND P.S. MAYONG, DIST. MORIGAON, ASSAM  
PIN- 782411

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE ASSISTANT/ADDITIONAL PP, ASSAM

**Advocate for the Petitioner : MR. S D ROY, B DAS, MS K DEKA**

**Advocate for the Respondent : PP, ASSAM,**

**BEFORE**  
**HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**Date : 07.08.2024**

Heard Mr. S.D. Roy, the learned counsel appearing for the petitioner as well as Mr. D. Das, the learned Additional P.P. for the State of Assam.

2. This is an application under Section 482 (1) of the BNSS, 2023 praying for grant of anticipatory bail in respect of Mayong P.S. Case No. 111/2018.

3. On 03.10.2017, a 31 year old married lady went to watch a play with her sister. At about 10 P.M., they returned home on foot. On the way they found the present petitioner with a car. He proposed the woman to drop her in their house. Accordingly, they set in the car and on the way to home, at one place they stopped. The victim went to the nearby jungle to attend the call of nature. Suddenly, the petitioner grabbed her and committed rape on her. After returning home, she informed her husband also, but no FIR was filed. On 06.03.2018, i.e. after 5 months, the complaint case was filed alleging the aforesaid facts.

4. Police filed the charge-sheet against the petitioner under Section 376 of the Indian Penal Code.

5. This Court is of the opinion that at this stage, the petitioner does not deserve to be detained in custody. Therefore, his prayer for anticipatory bail is allowed.

6. Whenever, the petitioner, Pradip Biswas appears before the trial court in response to the summons issued by the trial court, the petitioner shall be released on bail of Rs. 20,000/- with a surety of like amount to the satisfaction of the learned trial court.

7. The anticipatory bail application stands disposed of.

**JUDGE**

**Comparing Assistant**