

GAHC010149992024



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

Case No. : Bail Appln./2251/2024

BIKI SAIKIA
S/O BHABESH SAIKIA, R/O CHIPAHI GAON, P.S.-BOKAKHAT, DIST-
GOLAGHAT, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:SMTI. MINU DOLEY
W/O SRI KESHOB DOLEY
R/O NO. 1 BALIJAN MISING GAON
P.O.-BOKAKHAT
P.S.-BOKAKHAT
PIN-785612
DIST- GOLAGHAT
ASSA

Advocate for the Petitioner : MR. N HASAN, MR. A HASAN, MR. I K BURAGOHAIN

Advocate for the Respondent : PP, ASSAM, MR. S MUNIR(R-2), MR. S RANA(R-2), J BHUYAN
(R-2)

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

Date : 26-09-2024

Heard learned counsel Mr. N. Hasan for the petitioner Biki Saikia, who has filed this application under Section 483 of Bharatiya Nagarik Suraksha Sanhita,

2023 with prayer for bail as he is behind bars for 197 (One Hundred and Ninety Seven) days in connection with Special (POCSO) Case No. 40/2024 arising out of Bokakhat Police Station Case No. 31/2024 under Section 10 of the Protection of Children from Sexual Offences Act, 2012.

2. Heard Mr. K. Baishya, learned Additional Public Prosecutor, Assam for the respondent State and Mr. S. Munir, learned counsel for the respondent No. 2.

3. I have considered the submissions at the bar with circumspection.

4. It is submitted by the learned Additional Public Prosecutor that the case is at the fag-end of trial. Most of the witnesses have already been examined. Seven witnesses are enlisted in the charge sheet.

5. The allegation against the petitioner is that he committed sexual assault on an 8 (Eight) year old minor victim.

6. As the case at the fag-end of trial, I am not inclined to grant bail to the petitioner. It appears that trial may be adversely affected if the petitioner is admitted to bail. Petition is rejected at this stage. However, the petitioner is at liberty to apply for bail before the jurisdictional Court.

7. In terms of the above observation, this Bail Application stands disposed of.

JUDGE

Comparing Assistant