

GAHC010230362024



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

**Case No. : Bail Appln./3353/2024**

SAIBAL DAS  
S/O SRI ARABINDA DAS  
R/O METUAKUCHI, BHAKTARKUR  
P.O. AND P.S. BARPETA,  
DIST. BARPETA, ASSAM  
PIN-781301

VERSUS

THE STATE OF ASSAM  
REP BY THE PP, ASSAM

**Advocate for the Petitioner** : MR. A M BORA, MR. N K KALITA

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

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

**ORDER**

**04.11.2024**

Heard Mr. A M Bora, learned senior counsel for the petitioner, assisted by Mr. N Kalita, Advocate and Mr. M P Goswami, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 483 of the BNSS, 2023 by the petitioner, namely, Sri Saibal Das, praying for release on bail, who was arrested in connection with Barpeta P.S. Case No. 409/2024.

On 20.10.2024, Police received an information that one 16 [sixteen] years old girl had committed suicide by hanging in the house of the present petitioner. It may be stated that the girl was working there as a housemaid.

Police alleges that the girl was having relationship with a person called Biswajit Karmakar, who told Police that he was maintaining relationship with the deceased girl and they had sexual intercourse on multiple occasions.

The dead body of the deceased was sent for post mortem and accordingly, after post mortem it was reported that she was pregnant.

Police suspected that because of said pregnancy and refusal to marry by Biswajit Karmakar the girl had committed suicide.

After filing of the FIR by Police, the parents of the deceased girl also filed another FIR alleging that the present petitioner and the wife are responsible for the death of their daughter. Mr. Goswami, learned Additional Public Prosecutor has objected to this bail application and submits that perusal of the Case Diary is necessary for adjudication of this bail application.

I have considered the submissions made by the learned counsel of both sides. On a plain reading of the FIR lodged by the Police and the FIR lodged by the parents of the girl, it appears that further detention of the petitioner is not necessary.

Therefore, at this stage, this court is of the opinion that the petitioner does not deserve to be detained in custody for further period of time. Therefore, the bail application is allowed.

Accordingly, it is directed that the petitioner Sri Saibal Das, who was arrested in connection with Barpeta P.S. Case No. 409/2024, shall be released on bail of Rs.25,000/- with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Barpeta.

The bail application is disposed of.

JUDGE

**Comparing Assistant**