GAHC010064322026

2026:GAU-AS:9572

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

Case No. : Bail Appln./904/2026

BRAJA KUMAR BRAHMA
SON OF LATE DEOL SINGH BRAHMA, RESIDENT OF VILLAGE-PUB-MAKRA, PS-BIJNI, DISTRICT-CHIRANG, ASSAM, PIN-783390.

VERSUS

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

2:SMTI BANDANA BRAHMA
WIFE OF SRI KHANIN BRAHMA
RESIDENT OF VILLAGE-PUBMAKRA
PS-BIJNI
DISTRICT-CHIRANG
ASSAM
PIN-783390

Advocate for the Petitioner : MR. D CHOUDHURY, MR. R K SARMA,MR T CHAKRABORTY,MS. A KHARBANI

Advocate for the Respondent : PP, ASSAM, MS T PARASHAR, Amicus Curiae, R2

BEFORE

HON'BLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

14.07.2026

Heard learned counsel for the petitioner. Also heard learned Additional Public Prosecutor for the State.

2. This is an appeal filed under Section 483 of the BNSS, 2023 praying for the grant of bail to the accused/petitioner in connection with Bijni P.S. Case No. 130/2025, corresponding to Special (P) Case No. 1/2026, under Section 64(2)(f)/65(1) of the BNS read with Section 6 of the POCSO Act, 2012, pending before the Court of the learned Special Judge at Bijni.

3. The allegation against the present petitioner is the commission of penetrative sexual assault upon a 13-year-old girl who stands in the relationship of a granddaughter to him. The trial is already underway, and the deposition of the victim has already been recorded.

4. Having regard to the nature of the allegations and the material that has emerged so far, this is not a fit case for the grant of bail at this stage.

5. Accordingly, the prayer for bail stands rejected.

6. The scanned copy of the TCR received be retained till the next date.

JUDGE

Comparing Assistant