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

Case No. : Bail Appln./2054/2026

MD AMIR HUSSAIN
S/O MD ABDUL KASEM R/O- BALIDOGA P.S.- SOOTEA DISTRICT- BISWANATH, ASSAM

VERSUS

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

2:SMTI DIPIKA MAGOR
D/O SRI GOPI MAGOR R/O- VILLAGE DIPLONGA P.O. AND P.S.- SOOTIA DISTRICT- BISWANATH
ASSA

Advocate for the Petitioner : MR. A RAJKHOWA, MR. R P HAZARIKA

Advocate for the Respondent : PP, ASSAM, MS. FARJINA AJMI(INFORMANT),MR. J ABBAS(INFORMANT)

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

Date : 15.09.2026

Heard Mr. A. Rajkhowa, learned counsel for the petitioner. Also heard the learned Additional Public Prosecutor appearing for the State.

This is an application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 whereby the petitioner, **Md Amir Hussain,** has prayed for granting his bail after he was arrested in Sootea Police Station Case NO. 52/2026 (In G.R. Case No.274/2026) under Sections 137(2)/64(I)/351(2)/3(5) BNS, Read with Section 4 of POCSO Act.

The allegation against the present petitioner is that he, along with his co-accused, committed penetrative sexual assault upon two victim girls both aged about 16 years.

It is submitted by the learned counsel for the petitioner that the prayer for bail may be considered having regard to the period of detention of more than 100 days.

The scanned copy of the TCR reveals that although charge-sheet has been submitted and cognizance of the offence has been taken, the trial is yet to commence and, therefore, the victims have not yet been examined. Furthermore, the statements of the victims squarely implicate the petitioner.

Having regard to the aforesaid incriminating materials, the stage of the proceeding and the gravity of the offence, the prayer for bail stands rejected at this stage.

Bail application stands disposed of.

JUDGE

Comparing Assistant