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

Case No. : Bail Appln./258/2026

JUBER AHMED
SON OF LATE ABUL HUSSAIN
RESIDENT OF VILL- PATHARIYA B BLOCK, P.S. NILAMBAZAR, DIST. SRIBHUMI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. M AHMED, MD I H LASKAR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

19.02.2026

Heard Mr. M. Ahmed, learned counsel for the accused/applicant. Also heard Mr. M.P. Goswami, learned APP for the State.

2. An FIR dated 23.06.2025 was lodged by the victim woman alleging that she was raped while she was walking to her office as an ASHA worker. It was

alleged that the accused, while she was on her way, took her to a secluded place and raped her. On receipt of the FIR, Nilambazar Police Station Case No. 86/2025 was registered. After investigation, a charge-sheet was filed against the accused. Subsequently, charges were framed against the accused/applicant in Sessions Case No. 197/2025, which is pending before the learned Additional Sessions Judge, FTC, Sribhumi. The accused/applicant has been charged under Sections 126(2), 127(2), 74, 75, and 64, and the prosecution evidence has not yet commenced.

3. The learned counsel for the accused/applicant submits that the accused/applicant was arrested a long time ago and has already spent more than seven months in custody. He further submits that the medical report of the informant does not indicate any forcible sexual act by the accused/applicant. He also submits that seven witnesses have been listed in the charge-sheet, but none of them has been examined till date.

4. The learned APP, on the other hand, submits that none of the informants have been examined so far, and that the release of the accused/applicant may adversely affect the trial process.

5. The learned counsel for both parties have been heard. Upon consideration of the entire facts and circumstances of the case, this court is of the considered opinion that the instant bail application cannot be granted to the accused/applicant. Accordingly, the bail application is rejected.

JUDGE

Comparing Assistant