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

Case No. : Bail Appln./607/2026

JATIN BORUAH
SON OF LATE MANESWAR BORUAH, PRESENT ADDRESS-BATTALION TRAINING CENTRE, DERGAON, PS-DERGAON, DISTRICT- GOLAGHAT, ASSAM AND PERMANENT RESIDENT OF NO.1 MAUTGAON, KHANAMUKH, PS-GAURISAGAR, DISTRICT-SIBSAGAR, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

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

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 30-03-2026

Heard Mr. D. Choudhury, learned counsel for the petitioners. Also heard Mr. P. Borthakur, learned Addl. P.P appearing for the State.

The petitioner invoking under section 483 of the BNSS, 2023 praying for grant of regular bail to the accused petitioner namely, Jatin Boruah in connection with Dergaon P.S Case No. 35/2026 u/s 75/115(2)/296 of BNS.

The petitioner is stated to be a Sub-Inspector-cum-Instructor in the State Police Academy, Dergaon. The case was arose out of an FIR dated 13.02.2026 allegedly by the 7 Constable Trainees of ladies making various allegation against the allegedly unprofessional and abusive behavior of the petitioner. It is alleged that obscene language, criminal intimidation/assault and abuse of official position towards them and it is also alleged in the FIR about the petitioner making vulgar overtures and causing them a lot of discomfort.

The petitioner was arrested on 21.02.2026.

CD is received.

The learned counsel for the petitioner has drawn the attention of this Court to the penal provisions given and contends that only section 7C & 75 of BNS is non-bailable and even out of that only Clause-4(iv) is attracted which is punishable up to 1 year.

I have perused the relevant portion of the CD including the statement of the witnesses-cum-alleged victims. The victims in the statement have implicated the petitioner and from the materials revealed by the investigation through their statements the element of sexual gesture under section 75 of BNS would also be attracted prima facie. The petitioner was discharging a very responsible duty of being an Instructor in the prestigious State Police Academy, Dergaon and the allegation pertains to improper and ugly behavior with regard to the Women Constable Trainees. The investigation is also in progress. At this stage, the bail petition stands rejected.

Return the CD.

JUDGE

Comparing Assistant