

GAHC010046062026



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

Case No. : Bail Appln./722/2026

TOYBUR RAHMAN ALIAS MD TOIBUR RAHMAN
SON OF LATE MUJAMMEL ALI
RESIDENT OF 2 SONAPUR,P.O. SONAPUR, P.S. BIHPURIA, DISDT.
LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REP BY THE PP, ASSAM

2:MD. FOIZUDDIN
SON OF LATE ALI AKBAR
RESIDENT OF NO. 1 ORANGBASTI
P.S. NORTH LAKHIMPUR
ASSAM
PIN-78703

Advocate for the Petitioner : MR. K BORUAH, MS. M BHUYAN,MS. P BORAH,MS P
DAS,MR. M ALAM

Advocate for the Respondent : PP, ASSAM, MR. P BORDOLOI(R2)

BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

25.03.2026

Heard Mr. K. Boruah, learned counsel for the petitioner. Also heard Mr. R.J.

Baruah, learned APP for the State and Mr. P. Bordoloi, learned counsel for the respondent no.2.

This is an application filed under Section 483 of the BNSS, 2023, praying for grant bail to the petitioner in connection with Special (POCSO) Case No. 94/2025 pending before the learned Special Judge, (POCSO), Lakhimpur, North Lakhimpur registered under Sections 61(2)/127(2)/76/140(3) of the BNS, 2023 read with Section 4/17 of the POCSO Act, 2012.

The scanned copy of the Trial Court Record (TCR) has been received and perused.

It is noted that PW-1 to PW-5, including the informant, have been declared hostile.

The learned counsel for respondent no. 2 submits that there is no objection to the grant of bail to the petitioner. This Court has perused the statements on record, particularly that of the victim, and is of the opinion that the petitioner is entitled to the privilege of bail during the pendency of the trial.

Accordingly, it is directed that the petitioner be released on bail upon furnishing a bond of Rs. 20,000/- with two sureties of the like amount to the satisfaction of the learned Trial Court.

The learned Trial Court shall be at liberty to impose such conditions as may be necessary to ensure the petitioner's participation in the trial.

The bail application stands disposed of.

JUDGE

Comparing Assistant