GAHC010095022026

2026:GAU-AS:15458

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

Case No. : Bail Appln./1284/2026

AMJAT ALI
S/O DILWAR HUSSAIN
VILL- SILDUBI, P.S. MAYONG, DIST. MORIGAON, ASSAM.

VERSUS

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

2:MANNAS ALI
S/O ABDUL RASHID
VILL- SILDUBI
P.S. MAYONG
DIST. MORIGAON
ASSAM

Advocate for the Petitioner : MR. N J DUTTA, MR. S UDDIN,MR A ALAM,MR. A A MONDAL

Advocate for the Respondent : PP, ASSAM, MS T PARASHAR, AMICUS CURIAE R2

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

13.10.2026

Heard Mr. A. Alam, learned counsel for the accused. Also heard Mr. B. Sarma, learned Additional Public Prosecutor, Assam, appearing for the State respondent No.1

and Ms. T. Parashar, learned amicus appearing for the respondent No.2.

2. This application, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is preferred by accused, namely, Amjat Ali, who was behind the bar since 24.10.2025, in connection with POCSO Case No.189/2025, arising out of Mayong P.S. Case No.124/2025, under Sections 137(2)/64(2)(m)/351(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, read with Section 6/14/15 of the POCSO Act, for grant of bail.

3. The learned counsel for the accused submits that the accused was granted the privilege of interim bail, vide order dated 22.06.2026 and since then he has been appearing before the learned Trial Court on each and every date and that out of the 8 witnesses cited in the charge-sheet, 6 have already been examined and since the accused has been facing trial and cooperating during the trial, the interim order dated 22.06.2026 may be made absolute, in the same terms and conditions.

4. Mr. B. Sarma, learned Additional P.P., however, submits that the accused was granted the privilege of interim bail on medical ground and on merit he submits that there are sufficient incriminating materials against the accused. However, to a pointed query of this Court as to whether there is any allegation of violation of the condition of bail, Mr. Sarma submits that no such information is available.

5. The learned amicus for the respondent No.2 also submits that if there is no allegation of violation of any condition of bail, then the interim order dated 22.06.2026 may be made absolute.

6. Having heard the submission of learned counsel for both the parties, this Court has carefully gone through the petition and the documents placed on record and also perused the scanned copy of the record received from the learned Trial Court.

7. It appears that out of 8 cited witnesses in the charge-sheet, 6 have already been examined and since the date of granting interim bail, i.e. 22.06.2026, the

accused has been continuously appearing before the learned Trial Court on each and every date and there is also no allegation of violation of any of the conditions of bail and in that view of the matter and also in view of the progress of trial, this Court is of the view that custodial detention of the accused seems to be not warranted here in this case and accordingly, the interim order dated 22.06.2026 is hereby made absolute, in the same terms and conditions.

8. In terms of above, the bail application stands disposed of.

Sd/- *Robin Phukan*
JUDGE

Comparing Assistant