GAHC010131562026

2026:GAU-AS:15027

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

Case No. : Bail Appln./1812/2026

MANJIT DAS ALIAS SIBU
S/O SRI KUNU DAS ALIAS KONO DAS, R/O GARUKHUNDA PS LAHOWAL
DIST DIBRUGARH, ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY P.P, ASSAM

2:SRI RAJEN BHUMIJ
S/O- LATE RABIN BHUMIJ
RESIDENT OF VILLAGE- GARUKHUNDA
P.S- LAHOWAL DIST- DIBRUGARH
ASSAM PIN- 78601

Advocate for the Petitioner : MR. R ISLAM,

Advocate for the Respondent : PP, ASSAM, MS T PARASHAR, Amicus Curiae, R2

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 07.10.2026

Heard Mr. A. Hawari, the learned counsel for the accused applicant. Also heard Mr. M. P. Goswami, the learned Addl. Public Prosecutor for the State as well as Ms. T. Parashar, the learned *Amicus Curiae* representing the respondent No. 2.

2. This is an application under Section 483 of the BNSS, 2023, praying for granting bail to the accused applicant, namely, Manjit Das @ Sibu, in connection with Lahowal P.S. Case No. 126/2025 under Section 70(2) of the BNS, 2023.

3. An FIR was lodged by the informant on 22.10.2025 before the Officer-in-Charge of Ghoramara Police Out-post, alleging *inter-alia* that on 21.10.2025 at around 8 P.M., his daughter namely 'X' went to see Puja along with her sister and while returning home at around 1 A.M. in the night from Basmotiya to Gorukhunda, the accused applicant along with another person forcefully took his daughter to the middle of the tea garden and committed rape on her. On receipt of the FIR, police registered Lahowal P.S. Case No. 126/2025 under the aforementioned section. On completion of the investigation, the police filed the charge sheet on 30.11.2025 and the matter is pending before the learned Trial Court.

4. It is seen that three witnesses have been examined in the instant case, including the victim and the informant.

5. The learned counsel for the accused applicant submits that the accused applicant is behind the bars for last 349 days and since the victim has already been examined, the accused applicant should be granted bail.

6. On the other hand, the learned Addl. Public Prosecutor and the counsel for the respondent No. 2 oppose the prayer of bail.

7. Taking into the account the fact that several material witnesses are yet to be examined and on perusal of the materials available in the TCR, this Court is not inclined to grant any relief to the accused applicant. Accordingly, the prayer

for bail stands rejected at this stage.

JUDGE

Comparing Assistant