GAHC010161322026

2026:GAU-AS:15512

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

Case No. : Bail Appln./2224/2026

KABIR RANJAN DEKA
S/O PRADIP KR. DEKA
VILL- BARPUJIYA NIZ MIKIRGAONP.S. MIKIRBHETA DIST. MORIGAON,
ASSAM

VERSUS

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

2:JAHUR UDDIN CHOWDHURY
(FATHER OF THE VICTIM)
R/O VILL- FAUZDARY PATTY THOGISUT ROAD
P.O. AND P.S. NAGAON
DIST. NAGAON
ASSA

Advocate for the Petitioner : MR S DEKA, MS S ACHARJEE,MS. C TALUKDAR

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

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 13-10-2026

Heard Mr. S. Deka, learned counsel appearing for the accused applicant. Also heard Mr. K. K. Parashar, learned Additional Public Prosecutor for the State

and Ms. T. Parashar, learned Amicus Curiae for the respondent No. 2.

2. This is an application under Section 483 of the BNSS, 2023, praying for grant of bail to the accused applicant, who was arrested on 07.08.2025, in connection with Special POCSO Case No. 278/2025 corresponding to Nagaon P.S. Case No. 625/2025 under Sections 75/77 of the BNS, 2023 read with Section 6 of the POCSO Act, 2012 and 67(A) of the IT ACT, 2000.

3. The gist of the case is that an FIR was lodged on 07.08.2025 by the informant, namely, *Jahur Uddin Chowdhury*, alleging, inter alia, that his daughter X is a student of Class-X of *Christ Jyoti Senior Secondary School (CBSE);* that she is a child of 15 years old (Copy of Birth Certificate is attached); that since the days of her Class-VIII, a boy, identified as *Kabir Rajan Deka*, the accused applicant had been mentally and physically harassing his daughter by sending her online threatening massages, obscene computer-generated nude photos, inappropriate videos, etc. through internet using her facial image; that he had also circulated those obscene photos and videos to her classmates; that since the culprit couldn't be identified initially, necessary legal action could not be taken at that time; however, of late, the name of the culprit was identified as *Kabir Ranjan Deka*; that he lastly sent inappropriate videos to his daughter on 21.11.2024 wherein, he had secretly recorded the moment while he had forcefully caused penetrative sexual assault upon his daughter; that he had forcefully committed penetrative sexual assault upon her several times and thereafter, started blackmailing her; that he lastly committed forceful penetrative sexual assault on her on 20.04.2025 and he had secretly videographed such activities in camera; that if his mobile phone is enquired into, everything will come into light; that accused recently resurfaced again and started blackmailing his daughter threatening to release the materials, unless

his demands were met; that due to aforesaid activities of the accused person, his daughter was in severe emotional distress and same have disrupted her academic focus and wellbeing; that the accused has been threatening her that if the family members of his daughter takes any legal action against him, his daughter will have to face severe consequences.

4. After receipt of the FIR, the police has registered a case being Nagaon P.S. Case No.625/2025, under aforementioned sections. After his arrest, he was produced before the learned Special Judge (POCSO), Nagaon on 07.08.2025 and since then he is in judicial custody.

5. The accused applicant had earlier approached this Court by filing a bail application being Bail Appln. No. 502 of 2026, which this Court, vide order dated 25.05.2026, had rejected after consideration of the materials available on record.

6. Mr. Deka, learned counsel appearing for the accused applicant, submits that the accused applicant has been behind bars for more than a year and that only four out of the ten witnesses named in the FIR have been examined till date. He submits that, as the conclusion of the trial is likely to take considerable time and the accused applicant is a young person who has been behind bars for more than a year, he should be granted bail at this stage.

7. On the other hand, Mr. Parashar, learned Additional Public Prosecutor for the State and Ms. T. Parashar, learned Amicus Curiae for respondent No. 2, oppose the prayer for bail of the accused applicant.

8. Taking into account the entire facts of the case and taking note of the fact that four out of the ten witnesses named in the charge sheet have been examined and that the trial is progressing at a reasonable pace, this Court is not

inclined to grant any relief to the accused applicant at this stage.

9. Accordingly, the instant bail application stands rejected.

JUDGE

Comparing Assistant