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

Case No. : Bail Appln./2446/2026

SRI ANIKET ROY
S/O-SRI RANJIT ROY R/O-GOPINAGAR COLONY, WARD NO.10, P.S. NORTH LAKHIMPUR, DIST. LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
TO BE REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM.

2:BHAGYASHREE DAS
D/O- RANJIT DAS R/O- CHINATOLIA
RUPNAGAR NORTH LAKHIMPUR P.S.- NORTH LAKHIMPUR
DIST. LAKHIMPUR
ASSAM
CONTACT NO.690076107

Advocate for the Petitioner : MR. J C GOGOI, MR B ISLAM

Advocate for the Respondent : PP, ASSAM, MR. K KALITA (R-2)

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

06.11.2026

Heard Mr. B. Islam, learned counsel for the accused and Mr. R. J. Baruah, learned Additional Public Prosecutor for the State respondent. Also heard Mr. K.

Kalita, learned counsel for the respondent No. 2.

2. This application, under Section 483 of the BNSS, 2023, is preferred by the accused, namely, **Aniket Roy**, who has been languishing in jail hajot since 22.07.2026, in connection with North Lakhimpur P.S. Case No. 235/2026, corresponding to G.R. No. 679/2026, registered under Sections 64(1)/115(2)/351(3)/305(a)/296 of the BNS, 2023, read with Section 4 of the POCSO Act, 2012, for grant of bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of one FIR lodged by one Banashree Das (actual name withheld), resident of Chinatolia, Rupanagar, on 22.07.2026.

4. The essence of allegation, against the accused, in the FIR dated 22.07.2026, is that he used to harass the sister of the informant, even though she refused to have any relation with him. And on 18.07.2026, he physically assaulted her and threatened to kill her, if she refused to stay with him. Thereafter on 23.01.2026, he subjected her to sexual assault, without her consent.

5. Mr. Islam, learned counsel for the accused submits that the accused was arrested on 22.07.2026, and since then, he has been languishing in jail hajot for the last 108 days, and that investigation of the case has already been completed and charge-sheet has also been submitted. He also submits that he is ready to face trial and will appear before the learned Trial Court on each and every date. And under such circumstances, he has contended to allow this application.

6. Per contra, Mr. Baruah, learned APP for the State respondent, has opposed the petition on the ground that the victim has clearly implicated the accused with the offences alleged in the FIR, in her statement under Sections 180 of the BNSS, 2023. He also submits that though charge-sheet has been submitted, the material witnesses are yet examined to be examined, and if the accused is enlarged on bail at this stage, then there is every possibility of influencing the witnesses and under such circumstances, he has contended to dismiss the application.

7. Mr. Kalita, learned counsel for the respondent No. 2 submits that he has no objection in the event of granting bail to the accused.

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

9. It appears that though the I.O. has submitted charge-sheet in this matter, the material witnesses are yet to be examined.

10. The offences are serious in nature and if the accused is enlarged on bail at this stage, the possibility of influencing the witnesses cannot be ruled out.

11. Under the given facts and circumstances, this Court is of the view that this is not a fit case where the privilege of bail can be granted. And accordingly, this Court is inclined to dismiss this application.

12. In terms of the above, this bail application stands disposed of.

JUDGE

Comparing Assistant