GAHC010204722026

2026:GAU-AS:16356

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

Case No. : Bail Appln./2861/2026

RAKTIM KALITA
SON OF SRI GAUTAM KALITA, R/O- 07, KRISHNA NAGAR, CHANDMARI, P.S. CHANDMARI, DISTRICT - KAMRUP (METRO), ASSAM

VERSUS

STATE OF ASSAM AND 2 ORS.
REPRESENTED BY THE PP ASSAM

2:DR HIYASHREE DEKA
GMCH
BHANGAGARH
KAMRUP (M)

3:BANTI BAISHYA
W/O LATE ABANI BAISHYA
AKASHI NAGAR
BAMUNIMAIDAN
P.S. CHANDAMARI
DISTRICT KAMRUP M
ASSA

Advocate for the Petitioner : MR. B DEKA, MS AAKRITI JAIN,S AZIZ

Advocate for the Respondent : PP, ASSAM, MS B BORA(R3),MR. M BORAH(R3),MR. U. DUTTA(R3),MR. A ROY(R3)

BEFORE

HONOURABLE MR. JUSTICE PRANJAL DAS

O R D E R

06.11.2026

Heard Mr. B. Deka, learned counsel for the petitioner. Also heard Mr. K.K. Parasar, learned Additional P.P. for the State respondents and Mr. A. Roy, learned counsel for the respondent no.3.

2. Invoking under Section 483 of BNSS, the petitioner is seeking regular bail in connection with Sessions (Spl.) 113/2026 under Section 64(2)(m) of BNS, 2023 read with Section 6 of the Protection of Children from Sexual Offence Act, 2012 arising out of Chandmari P.S. Case No.49/2026.

3. The petitioner is stated to be aged 18 years and from the materials, the alleged victim girl is stated to be aged 17 years. She has stated about love affair in her statements. However, in her police statements, she has stated about having physical relationship with the petitioner and in her statement before Magistrate, she stated that she said the same before police out of threat and that subsequently, the police told her to tell the truth before the learned Magistrate. The case is stated to be at the stage of production, upon completion of investigation resulting in a charge-sheet.

4. I have perused the statement of the girl recorded under section 180/183 BNSS.

5. The learned counsel for the informant submits that the families are known to each other and at this stage, the informant does not have objection to grant of bail.

6. In the given facts and circumstances, and also keeping in mind the stage

of the case, I am inclined to allow the bail. Accordingly, the petitioner is allowed to go on bail of Rs. 30,000/- with one surety of the like amount to the satisfaction of the learned concerned Court, and subject to the following conditions:

1. He shall be available for the trial.
2. He shall not tamper or hamper with evidence and shall not try to influence witnesses.
3. He shall not in any manner intimate or harass or harm the alleged victim.

7. Violation of the bail conditions will lead to cancellation of the bail.

8. This bail application stands allowed and disposed of.

9. Send back the case diary.

JUDGE

Comparing Assistant