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2026:GAU-AS:14971

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

Case No. : AB/2407/2026

DIPANKAR KALITA
S/O HITESWAR KALITA, VILLAGE - BAMUNGAON, P.S KAMALPUR,
DISTRICT KAMRUP ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S MUNIR, MR. P J DEKA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

06.10.2026

Heard Mr. S. Munir, learned counsel for the applicant and Ms. S. H. Bora, learned Additional Public Prosecutor for the State respondent No. 1.

2. This application, under Section 482 of the BNSS, 2023, is preferred by the applicant, namely, **Dipankar Kalita**, who has been apprehending his arrest in

connection with Kamalpur P.S. Case No. 70/2026, under Sections 77/79/351 of the BNS, read with Sections 67A/66E of the Information Technology Act, 2000, for grant of pre-arrest bail.

3. It is to be noted here that the above noted case has been registered on the basis of one FIR lodged by one Manisha Kalita (actual name withheld), on 15.08.2026.

4. The essence of allegation in the FIR, dated 15.08.2026, is that the informant was in relationship with the applicant since 2012, and she snapped her relationship with the applicant in the year 2024, due to his nefarious activities. However, in spite of the same, the applicant used to send her messages and disturb her. He also used her photographs to prepare objectionable videos and uploaded the same in Facebook and Whatsapp. Moreover, he had threatened to lift her from road and kill her, by pouring acid on her person.

5. Mr. Munir, learned counsel for the applicant submits that in fact, there was a love relationship between the applicant and the informant, but the allegations in the later part of the FIR, regarding lifting her and killing her by pouring acid on her person; are completely false allegations. He also submits that the applicant is ready to cooperate with the investigating agency and therefore, he has contended to allow this application.

6. Ms. Bora, learned Additional Public Prosecutor has produced the case diary before this Court and submits that the I.O. has collected sufficient incriminating materials against the applicant, and that his custodial interrogation is required in

the interest of investigation. She also submits that the applicant has not been cooperating with the investigating agency and his mobile phone is yet to be recovered and seized, and under such circumstances, she has contended to dismiss this application.

7. 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 case diary with the assistance of the learned Additional Public Prosecutor.

8. In view of the allegations made in the FIR and the statement of the victim under Sections 180/183 of the BNSS, 2023, and also in view of the continuous mental harassment inflicted upon the informant, by making her photos and videos viral in the Facebook and Whatsapp; this Court is of the view that custodial interrogation of the applicant seems to be indispensible in this case. And accordingly, this Court is inclined to dismiss this petition.

9. In terms of the above, this application stands disposed of.

10. Case diary be returned.

JUDGE

Comparing Assistant