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2026:GAU-AS:14829

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

Case No. : Bail Appln./3129/2026

SHRI PULIN BORAUH
S/O LATE THOLOK BORUAH VILLAGE NO.02. KUWADONGA, PO KOWADONGA PS NORTH LAKHIMPUR DISTRICT LAKHIMPUR ASSAM 787055

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP, ASSAM

Advocate for the Petitioner : RAJU DEURI, MS. M BASUMATARY,MR. S K DEORI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 05.10.2026

Heard Mr. R. Deuri, the learned counsel for the petitioner and Mr. B. Sarma, the learned Addl. Public Prosecutor for the State of Assam.

2. By this application the petitioner has prayed for bail in connection with Dhakuakhana, P.S. Case No. 59/2026, registered under Sections 318(2)/69/87

of the BNS, 2023.

3. The FIR in connection with which the petitioner was arrested on 02.09.2026, was lodged by one, Smita Das, alleging inter alia, that for the last two months from the date of lodging of the ejahar, the petitioner pretending to be unmarried and on the pretext of love was having a relationship with her and that, he had taken her to Guwahati and kept her in a rented house, wherein, it was alleged that, in the said house, she was sexually assaulted. The informant further stated that, later she came to know that the petitioner was a married person.

4. The learned counsel for the petitioner submits that, the informant had knowledge beforehand that the petitioner is a married person and that, the informant is also a married lady. As such, he submits that the allegations made in the FIR are concocted in nature.

5. On the other hand Mr. B. Sarma, the learned APP for the State, submits that, the allegations made in the FIR reveals that the petitioner had misrepresented himself as unmarried and on the pretext of love had taken advantage of the victim.

6. Upon consideration of the submissions made by the learned counsels, more so in view of the fact, that the petitioner has been inside the jail for the last 34 days and also due to the fact that, there is no allegations that the petitioner had promised marriage to the informant, this court enlarges the petitioner on bail on furnishing of a bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with one local surety of the like amount to the satisfaction of the

C.J.M, Lakhimpur, North Lakhimpur, Assam under the following conditions :

(i) The petitioners shall positively appear before the I.O. and the Trial Court as and when call for.

(ii) The petitioners shall not hamper and tamper with the evidence of the case, and/or influence the witness connected with the case; and

(iii) The petitioners shall not leave their residence without prior permission of the Investigating Officer.

7. The Bail Applications stands disposed of.

JUDGE

Comparing Assistant