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

Case No. : Bail Appln./3127/2026

BIMAL DEY
SON OF LATE NARESH DEY, RESIDENT OF VILLAGE MASALLAPATTY, FALAKATA ALIPURDUAR, JALPAIGURI, P.O.- MASALLAPATTY, P.S.- FALAKATA, PIN-735211, DIST. JALPAIGURI, WEST BENGAL.

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY SPECIAL PUBLIC PROSECUTOR, GOVERNMENT OF ASSAM

2:JONALI ROY
WIFE OF CHITRA CHOUDHURY
RESIDENT OF VILLAGE DEOHATI PART-1
P.S.-ABHAYAPURI
DIST-BONGAIGAON
ASSAM
PIN-78338

Advocate for the Petitioner : MR P P MEDHI, MS. U ROY,MAYURI GOGOI,MR G BARGAYARY

Advocate for the Respondent : PP, ASSAM, MS A PAYENG(R2),MS. SUSMITA DOLEY(R2),MS. N S RAJKHOWA(R2),I GOGOI(R2),MR J PAYENG(R2)

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 16.11.2026

Heard Mr. P.P. Medhi, learned counsel for the accused applicant. Also heard Mr. K.K. Parasar, learned Additional Public Prosecutor appearing for the State as well as Mr. D. Uprety, learned counsel appearing on behalf of Mr. J. Payeng, learned counsel appearing for the respondent No.2.

2. This is an application filed under Section 483 of the BNSS, 2023 praying for grant of bail to the accused applicant namely, **Bimal Dey,** in connection with Bongaigaon P.S. Case No. 205/2026 under Sections 96/127(4)/143(5)/64(1)/65(1)/3(5) of BNS, 2023 read with Section 6/7 of the POCSO Act, 2012.

3. An FIR was lodged on 07.09.2026 by one Jonali Roy and others before the Officer-in-Charge, Bongaigaon Police Station, alleging, inter alia, that on 06.09.2026, at around 5:00 p.m., they were informed by the parents of a minor girl that several minor girls were being held captive at Brahmaputra Hotel, located at Chapaguri Road, opposite Axis Bank, and were being sexually assaulted and harassed.

4. It is alleged that, upon receiving such information, the informants, on behalf of Vishwa Hindu Parishad (Bajrang Dal), went to Brahmaputra Hotel, located at Chapaguri, and found that four minor girls were locked inside a room.

5. On being asked, they came to know that the girls were minors, aged about 14, 16 and 17 years, respectively, with two of them being 17 years old.

6. It is further alleged that the accused No. 1, namely, Anthony Hussain, had trafficked the girls from Kokrajhar and Chirang on 27.08.2026 and had kept them confined and exploited them by exposing them to various customers for sexual favours. It is alleged that the accused No. 2, namely, Prasenjit Ghosh, is the owner of the hotel, and accused No. 3, Biman Dey, is the manager of the said hotel. They allegedly provided special rooms for such activities for their personal and financial gains.

7. It is stated that, upon being informed, the police rescued the girls from the hotel

and arrested accused Nos. 2 and 3. However, accused No. 1 managed to escape from the place.

8. On receipt of the FIR, police registered Bongaigaon P.S. Case No. 205/2026 under the aforementioned Sections.

9. The learned counsel appearing for the accused applicant submits that the accused applicant was arrested on 07.09.2026 and since then he is behind bars.

10. The learned counsel for the accused applicant submits that the accused applicant is merely the manager of the hotel and is not involved in any sexual exploitation, as alleged in the FIR. He submits that the receptionist of the hotel, after verifying the details of the girls, had allowed them to stay in the aforesaid hotel. He further submits that the accused applicant was totally unaware of any such sexual exploitation. He also submits that the accused applicant has been behind bars for the last 70 days and, therefore, his further detention may not be required in the instant case. He submits that although the provisions of the POCSO Act have been invoked in the instant case, there is no specific allegation of commission of any such offence against the accused applicant.

11. On the other hand, the learned Additional Public Prosecutor opposes the prayer for bail of the accused applicant, stating that sufficient incriminating materials are available against him in the instant case.

12. The case diary has been received and the same has been perused.

13. Mr. D. Uprety, learned counsel, opposes the prayer for bail by submitting that he has filed an objection in the instant case. He further submits that special rooms had been created for the sexual exploitation of minor girls and that several materials relating to their sexual exploitation were seized by the police during the course of investigation. Accordingly, he opposes the prayer for bail.

14. This Court has heard the submissions made by the learned counsel for the

respective parties as well as minutely perused the materials available in the case diary.

15. Taking into account the prima facie incriminating materials against the accused applicant in the instant case who is the manager of the hotel, this Court is not inclined to grant any bail at this stage.

16. Accordingly, the bail application stands rejected and dismissed.

17. Return the case diary.

JUDGE

Comparing Assistant