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

Case No. : Bail Appln./3075/2026

SMTI MEERA KALITA AND ANR
WIFE OF SRI PRANAB KALITA, RESIDENT OF ADINGIRI, P.S. MALIGAON, DISTRICT KAMRUP METROPOLITAN, ASSAM.

2: SRI PRANAB KALITA
SON OF SRI MAHENDRA KALITA
RESIDENT OF ADINGIRI
P.S. MALIGAON
DISTRICT KAMRUP METROPOLITAN
ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M HUSSAIN, MR. A Z AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

Date : 06-10-2026

Heard Mr. M. Hussain, learned counsel appearing for the petitioner. Also heard Mr. K.K. Parashar, learned Addl. Public Prosecutor for the State.

2. This is an application filed under Section 483 of the BNSS, 2023, praying for the grant of bail to the accused/petitioners, namely, Smti. Meera Kalita and Sri. Pranab Kalita, in connection with Paltanbazar P.S. Case No. 222/2026, under Section 3/4/5/7 of the Immoral Traffic (Prevention) Act, 1956, read with Section 115(2)/117(2)/143(2)/144(2)/3(5)/324(2)/74 of the BNS, 2023.

3. The allegation against the accused persons is that on 22.08.2026, the complainant, Sima Laskar, lodged an FIR at Paltanbazar P.S., statinig, inter alia, that on 13.08.2026, she was called to Guwahati by one Priya Ansari on the pretext of providing her a job and was taken to Mira Unisex Spa Saloon at Bora Service, here she was allegedly forced into objectionable activities with customers and her mobile phone was concealed. It is further alleged that on 17.08.2026, she was forced to consume alcohol and was assaulted. It is also alleged that the accused persons damaged her chain and assaulted her on the chest. Accordingly, the police registered a case vide Paltanbazar P.S. Case No. 222/2026 under Section 3/4/5/7 of the Immoral Traffic (Prevention) Act, read with Section 115(2)/117(2)/143(2)/144(2)/3(5)/324(2)/74 of the BNS, 2023 against the accused persons.

4. Learned counsel for the petitioners submits that the petitioners are not involved in the alleged offences and, considering their period of detention of 45 days, the prayer for bail may be allowed.

5. It is further submitted by learned counsel for the petitioners that the FIR

was lodged by the alleged victim on 22.08.2026 and the raid was conducted by the police on the following day, that is 23.08.2026, and the victim was also found there in the premises, and no other girl was found there, which indicates that the so-called victim was a was willingly staying with the accused persons. It is submitted that if the allegations made in the FIR were indeed true, then she would not have gone back to the said premises of the petitioners.

6. On the other hand, learned Additional PP submits that the earlier bail application on behalf of the petitioners was rejected by order dated 18.09.2026 in Bail Application No. 2657/2026 passed by this Court upon finding sufficient incriminating materials available against the petitioners in the CD.

7. I have duly considered the rival submissions.

8. It appears that the earlier bail application of the petitioners was rejected at that stage as the period of detention was only 27 days, but by now the petitioners have already spent 45 days behind custody and the investigation is has expectedly progressed. And having regard to the nature of the allegations, further detention of the petitioners is not considered necessary.

9. Accordingly, the prayer for bail is allowed.

10. The petitioners shall be released on bail on furnishing bail bond of Rs. 50,000/- with two sureties of the like amount to the satisfaction of the learned CJM, Kamrup(M). The petitioners shall cooperate with the investigation and shall not try to influence or intimidate the victim or any other person acquainted with the facts of the case.

11. Bail petition stands allowed and disposed of.

JUDGE

Comparing Assistant