GAHC010217472026

2026:GAU-AS:16827

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

Case No. : AB/2462/2026

SADAGAR ALI
SON OF KARMUL ALI RESIDENT OF VILLAGE NO 3 BASHBARI P S MANIKPUR DISTRICT BONGAIGAON ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PP, ASSAM

2:IBRAHIM ALI
SON OF LATE SIRAJ UDDIN VILLAGE NO 3 SALABILA P S MANIKPUR DISTRICT BONGAIGAON ASSA

Advocate for the Petitioner : MR. M KHAN, MS J AKTAR

Advocate for the Respondent : PP, ASSAM, MS. D. DEVI(R2),MS. P TALUKDAR(R2),MR. K R PATGIRI(R2)

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 16-11-2026

Heard Mr. M. Khan, learned counsel for the petitioner. Also heard Mr. D. P. Goswami, learned Additional PP for the State and Mr. K. R. Patgiri, learned counsel for the respondent No. 2.

2. By way of this application filed under Section 482 of the BNSS, 2023, the petitioner, Sadagar Ali, seeks grant of pre-arrest bail in connection with Manikpur P.S. Case No. 71/2026, registered under Section 137(2) of the BNSS, read with Section 6 of the POCSO Act.

3. The case arose out of an FIR dated 21.08.2026 alleging that at about 7 pm, the informant's 17 year old daughter was taken away by the accused petitioner to his residence but his wife brought her back on the same day. It is alleged that however, on the next morning again the accused took her and committed rape upon her. It is stated that the family member of the accused handed over the girl to the Child Welfare Committee, Bongaigaon.

4. On the earlier occasion, the learned counsel for the informant impleaded as respondent No. 2 submitted that he has no objection to the grant of bail. The coordinate bench vide order dated 16.10.2026 was pleased to grant interim bail to the petitioner. The petitioner is stated to be a student aged about 20 years.

5. The learned Additional PP submits that in the meantime, upon completion of investigation, chargesheet has been submitted.

6. The learned counsel appearing in this proceeding on behalf of the informant reiterates the informant's no objection to the grant of bail and draws attention to an affidavit dated 26.09.2026 which was also annexed with the bail petition.

7. Perused the said affidavit wherein the informant has stated his no objection to grant of bail.

8. In the given facts and circumstances, I do not find it necessary to cancel

the interim bail and accordingly, the interim bail vide order dated 16.10.2026 is hereby made absolute subject to the conditions that – (i) the petitioner shall be available for trial, if one commences; (ii) he shall not in any manner harm, harass or intimidate the informant and family members; (iii) he shall not hamper or tamper with evidence.

9. Violation of any of the bail conditions would entail cancellation of the bail.

10. The anticipatory bail petition stands allowed and disposed of.

JUDGE

Comparing Assistant