GAHC010218292026

2026:GAU-AS:15046

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

Case No. : Bail Appln./3094/2026

MUSTAFIZUR RAHMAN
SON OF SUNA MIYA SUNA AMIN, VILLAGE CHENGLIMARI, P.S. PATACHARKUCHI, DISTRICT BAJALI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM.

Advocate for the Petitioner : MR. R ALI, MISS. S PARBIN,MR H A AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 07.10.2026

Heard Mr. H.A. Ahmed, learned counsel appearing for the accused-applicant. Also heard Ms. A. Begum, learned Addl. P.P., representing the State respondent.

2. This is an application under Section 483 of the BNSS, 2023, praying for granting bail to the accused-applicant in connection with Patacharkuchi Police

Station Case No. 143/2026, registered under Sections 75(1)(ii)/77/78/79/308(2)/351(2) of the BNS, 2023 read with Section 67(A) of the IT Act.

3. An FIR was lodged on 09.09.2026 by the informant, alleging that the informant and the accused-applicant were classmates. Six months back, the accused-applicant, by making false promises and applying various inducements, contacted the informant over the phone and, without her knowledge, recorded various conversations and taken certain naked videos and photographs of her. It is alleged that the accused-applicant blackmailed the informant and forcibly pressured her to establish physical relationships with him, and further demanded Rs. 5,00,000/- (Rupees Five Lakhs) from the informant in exchange for not circulating her obscene photographs and videos. It is alleged that on 03.09.2026, the accused-applicant circulated some of her obscene photographs and videos in a WhatsApp group named "Viral," having 40–50 members.

4. On receipt of the FIR, police registered Patarkuchi P.S. Case No. 143/2026, under the aforementioned sections.

5. The learned counsel appearing for the accused-applicant submits that the accused-applicant and the informant are classmates, and whatever happened is due to mutual consent. He submits that he never threatened the informant and never demanded any money from her. He submits that, taking into account the period of detention, the accused-applicant should be granted bail at this stage.

6. On the other hand, Ms. A. Begum, learned Addl. PP, opposes the prayer for bail.

7. The Case Diary in the instant case has been received and the same is perused.

8. Having considered the materials available in the Case Diary and *prima facie* finding incriminating materials that speak about the involvement of the accused-applicant in the offense that has been alleged in the FIR, this Court is not inclined to grant any relief to the accused-applicant at this stage.

9. Accordingly, the instant bail application is dismissed.

10. Case Diary to be returned.

JUDGE

Miriam Degu
(SPA)