GAHC010219412026

undefined

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

Case No. : Bail Appln./3078/2026

MONOJ KUMAR ROY
S/O-KHARGESWAR ROY,
R/O-VILL-CHOKAPARA, SHAKTI ASARAM,
P.S.- FAKIRAGRAM,
DIST- KOKRAJHAR,
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY P.P, ASSAM

2:SMTI NIJARA PATHAK RAY
W/O-SRI MAHANTA RAY

R/O VILL- SINGIMARI

P.S.- FAKIRAGRAM
DIST KOKRAJHAR
ASSAM
PIN 778334

Advocate for the Petitioner : MR. T CHUTIA, MS S NASRAT
Advocate for the Respondent : PP, ASSAM, P HAZARIKA(R2)

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

20.11.2026

Heard Mr. T. Chutia, learned counsel for the petitioner and Mr. B. Sharma,

learned Additional Public Prosecutor for the State and Mr. P. Hazarika, learned counsel for respondent No.2.

2. This petition under Section 483 of the BNSS, 2023 has been filed by the accused-petitioner, namely, **Monoj Kumar Roy** praying for grant of bail in connection with **Special POCSO Case No.50/2026** under Sections **329(3)/117(2)/75(1)/76/109(1)/3(5) of BNS R.W. Section 8 of POCSO Act.** The petitioner is in custody since 5.8.2026.

3. The case is at the stage of trial where upon after framing of charges, witnesses are being examined and so far, amongst the witnesses examined are also the alleged victim and the informant, who is her mother.

4. It is fairly pointed out by the learned Additional Public Prosecutor, Mr. R. R. Kaushik that with regard to the present petitioner, no charges have been framed under the POCSO Act. Though it has been framed against the other co-accused, Mahesh Roy.

5. Learned counsel for the petitioner submits that the said Mahesh Roy was granted bail by this Court.

6. I have seen from the materials that there are allegations of sexual offences against the said co-accused. The petitioner has filed an additional affidavit incorporating the copies of the depositions of the informant and the minor girl. The PW-1 has stated about some threat and the victim girl has also stated about some verbal abuse and threat.

7. Considering the length of detention and the progress of trial, the Court is inclined to accept the contention of the learned counsel that bail should be granted to him at this stage. The fact that co-accused against

whom there are graver allegations is on bail is also one factor.

8. Accordingly, it is provided that the accused petitioner, named above shall be released on bail of **Rs.50,000/-** with one suitable surety of like amount to the satisfaction of learned concerned court subject to the following conditions that the petitioners:

(a) shall cooperate with the remaining trial;

(b) shall not in any manner intimidate or harass or harm the informant and her family members;

(c) shall not try to influence witnesses.

9. Violation of any bail conditions shall entail cancellation of bail.

10. A copy of this bail order shall be furnished to the Prosecution for onward transmission to the concerned police officer, who in turn will bring the bail conditions to the notice of the informant and her family.

11. Accordingly, this bail application stands **allowed** and **disposed of**.

JUDGE

Comparing Assistant