GAHC010219832026

2026:GAU-AS:14894

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

Case No. : Bail Appln./3119/2026

REKHAJYOTI PHUKAN BURAGOHAIN ALAIS REKHAJYOTI PHUKAN BARGOHAIN ALAIS REKHAJYOTI PHUKAN BORGOHAIN
W/O- LATE BHADRESWAR BURAGOHAIN
R/O- HOUSE NO.29, LAKHIMI PATH,P.O.- BELTOLA, P.S.- HATIGAON,DIST.- KAMRUP(M), ASSAM, PIN-781028

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. I H SAIKIA, MR. K KALITA,MS. K.B. BURAGOHAIN,MR. B BORAH,MR. M R CHOUDHURY,MR K KASHYAB

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

06.10.2026

Heard Mr. I.H. Saikia, learned counsel for the accused-petitioner and also heard Mr. P. Borthakur, learned Additional Public Prosecutor, Assam, appearing for the State

respondent.

2. This application, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is preferred by accused, namely, Rekhajyoti Phukan Buragohain @ Rekhajyoti Phukan Bargohain @ Rekhajyoti Phukan Borgohain, who has been languishing in jail hazot since 21.09.2026, in connection with N.I. (C.R.) Case No.3870/2019, pending before the Court of learned Judicial Magistrate, First Class (JMFC), Kamrup(M), Guwahati, for grant of bail.

3. Mr. Saikia, learned counsel for the accused submits that the petitioner is an accused in N.I. (C.R.) Case No.3870/2019, and on account of her non-appearance before the learned Judicial Magistrate, First Class, Kamrup(M), Guwahati, the learned JMFC has issued non-bailable warrant of arrest (NBWA) against her on 29.11.2023. Subsequently, P&A was also issued against her and ultimately, she was arrested on 21.09.2026 and since then, she has been languishing in jail hazot.

3.1. Mr. Saikia further submits that the accused will appear before the learned Judicial Magistrate, First Class, Kamrup(M), Guwahati, regularly and under such circumstances, he has contended to allow this application.

4. Per contra, Mr. Borthakur, learned Additional Public Prosecutor, Assam, referring to the order dated 25.09.2026, passed by the learned JMFC, Kamrup(M), Guwahati, submits that the conduct of the accused is not at all satisfactory, for which, the learned JMFC, Kamrup(M), Guwahati, has rejected her bail application vide order, dated 25.09.2026.

5. Having heard the submission of learned counsel for both the parties, this Court has carefully gone through the petition and the documents placed on record.

6. On perusal of the order, dated 25.09.2026, it appears that the conduct of the accused is not at all satisfactory. However, Mr. Saikia, learned counsel for the petitioner has assured that the accused will appear before the learned Court below

regularly, on each and every date fixed. And on such assurance being given by the learned counsel for the accused, this Court is inclined to allow this application.

7. It is provided that on furnishing a bond of Rs.20,000/- with one surety of the like amount to the satisfaction of the learned Judicial Magistrate, First Class (JMFC), Kamrup(M), Guwahati, the accused shall be released on bail.

8. In terms of above, the bail application stands disposed of.

Sd/- *Robin Phukan*
JUDGE

Comparing Assistant