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

Case No. : Bail Appln./3163/2026

PRIYAM NATH
S/O - KHARGESWAR NATH, R/O- MADHUKUCHI, P.S.RANGIA DISTRICT-KAMRUP, ASSAM, PIN - 781354.

VERSUS

STATE OF ASSAM AND ANR
REPRESENTED BY THE LEARNED PP,GOVT. OF ASSAM

2:PARESH BORO
R/O MADHUKUCHI
P.S- RANGIA
DIST- KAMRUP
ASSAM
PIN781354

Advocate for the Petitioner : DARAK ULLAH, DEBAKSHI BORA,MS A HUSSAIN,SABRISH AHMED

Advocate for the Respondent : PP, ASSAM, MR. S PAUL(R2),MR. R GHOSH(R2),MR. C SHARMA(R2)

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 02.11.2026

Heard Mr. D. Ullah, learned counsel for the accused applicant. Also heard

Mr. K.K. Parasar, learned Additional Public Prosecutor appearing for the State as well as Mr. R. Ghosh, learned counsel appearing for the informant/respondent No.2.

2. This is an application filed under Section 483 of the BNSS, 2023 praying for grant of bail to the accused applicant namely **Priyam Nath,** in connection with Rangia P.S. Case No. 289/2026 under Sections 64 of BNS, R/W Sec 4 of the POCSO Act, 2012.

3. An FIR was lodged by the victim girl before the Officer-In-Charge of Rangia Police Station on 01.09.2026 alleging that the accused person namely Priyam Nath, who belongs to her village, about six months ago on promise that he likes her, took her to Madukuchi Crematorium and there committed rape on her. It is further alleged that thereafter, she avoided the accused person for some time. However, as the accused had taken certain naked photographs of the victim girl, he tried to contact her. When she refused to maintain any contact with him, the accused applicant made the naked photographs of the victim girl viral.

4. On receipt of the FIR, police registered Rangia P.S. Case No. 289/2026 under the aforementioned Sections.

5. The learned counsel appearing for the accused applicant submits that the accused applicant at the time of alleged offence was just 18 years of age and the victim girl was of 17 years at that point of time. He further submits that both the accused person and victim girl are young persons and the offence committed by the accused applicant was unintentional. He further submits that the family of the accused applicant as well as the victim girl has been trying to correct both the persons. He submits that since the accused person has already

behind the bars for 62 days and being a young boy of the village, there is no risk of him avoiding investigation and trial, if required.

6. Mr. R. Ghosh, learned counsel appearing for the respondent No.2 submits that he does not have any objection in granting bail to the accused applicant at this stage as the respective families had already resolved the issues amongst themselves.

Case diary has been received and the same is perused.

7. The learned Additional Public Prosecutor on the other hand opposes the prayer for bail.

8. Taking into account the materials available before this Court as well as the fact that the accused applicant is behind the bars for 62 days, this Court is of the view that bail should be granted to the accused applicant.

9. Accordingly, it is directed that the accused applicant named above shall be released on bail on furnishing bail bond of Rs.30,000/- with one surety of like nature to the satisfaction of learned Special Judge, POCSO, Rangia subject to the condition that the accused applicant shall cooperate with the investigation and make himself available before the Investigating Officer as and when required.

10. In terms of the above, the instant application is disposed of.

JUDGE

Comparing Assistant