GAHC010223752026

2026:GAU-AS:16196

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

**Case No. : AB/2566/2026**

DHARMENDRA BONIA
S/O. BHUPEN BONIA, R/O. VILLAGE PAM, P.O. AND P.S. GORCHUK,
GUWAHAT - 781035 DISTRICT KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P, ASSAM.

**Advocate for the Petitioner** : MR. B CHOWDHURY, MR A AKBAR

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**
**HONOURABLE MR. JUSTICE ANJAN MONI KALITA**

**ORDER**

**Date : 04.11.2026**

Heard Mr. B. Chowdhury, learned counsel, appearing on behalf of the accused-applicant. Also heard Mr. K.K. Parashar, learned Addl. PP, representing the State respondent.

**2.** This is an application, under Section 482 of BNSS, 2023, seeking pre-arrest

bail by the accused-applicant in connection with Chhaygaon P.S. Case No. 204/2026, registered under Section 69 of BNS, 2023, corresponding to G.R. No. 792(K)/2026.

**3.** An FIR was lodged on 23.09.2026 by one Barasha Medhi, before the Officer In-charge, Chhaygaon PS, alleging that the accused-applicant had established physical relationship with the informant on the promise of marriage. It is alleged that the accused-applicant used to visit her house and since the informant was under the hope that he would be marrying her, she consented to the physical relationship. However, later on, he started avoiding her and broke the marriage that was scheduled to happen between the two.

**4.** On receipt of the FIR, police registered Chhaygaon PS Case No. 204/2026, under the aforementioned sections.

**5.** The learned counsel for the accused-applicant submits that the accused-applicant and the girl were in a love relationship and they had consensual physical relationship. He submits that though the families of both the parties arranged for the marriage and scheduled the marriage, the same had to be broken off due to the girl's alleged affair with another person. He further submits that there was no cheating in the instant case and the accused-applicant, who is a lawyer by profession, was, in fact, intended to marry her but due to the circumstances of the girl's other affairs, the marriage had to be called off. Accordingly, he prays for granting pre-arrest bail to the accused-applicant.

**6.** Mr. Parashar, learned Addl. PP, on the other hand, opposes the prayer of bail.

**7.** Case Diary in the instant case has been received and the same is perused by this Court.

**8.** Taking into account the entire facts of the matter and having found no such

prima facie incriminating materials against the accused-applicant, this court is of the considered opinion that the accused-applicant should be granted pre-arrest bail. Accordingly, it is directed that in the event of arrest of the accused-applicant by the investigating authority in connection with the instant case, he shall be released on pre-arrest bail on furnishing a bail bond of Rs. 30,000/- (Rupees Thirty Thousand) with a surety of like amount to the satisfaction of the arresting authority, subject to the following conditions: -

*(1) That the accused-applicant shall appear before the Investigating officer within ten (10) of passing of the order and fully co-operate in the investigation of the case.*

*(2) The accused-applicant shall neither hamper the investigation nor tamper with any evidence nor influence any witnesses connected with the case.*

**9.** In view of the aforesaid directions, the instant anticipatory bail application is disposed of as allowed.

**JUDGE**

***Miriam Degu***
***(SPA)***