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

Case No. : Bail Appln./3480/2026

PARIJAT SWAMI
SON OF LATE SUKHENDU BIJOY SWAMI, RESIDENT OF ASHRAM ROAD, NEAR SATSANGA ASHRAM, P.S.- SILCHAR, DIST- CACHAR, PIN- 788007, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S C BISWAS, P SHARMA,MS. R DEVI,MR. P S BISWAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

06.11.2026

Heard Mr. S.C. Biswas, learned counsel for the accused and Mr. R.J. Borua, learned Additional Public Prosecutor for the State respondent.

2. This application, under Section 483 of the BNSS, is preferred by accused, namely, Parijat Swami, who has been languishing in jail hazot in connection with Silchar PS Case No. 873/2026, under Section 103(1) of the BNS, for grant of bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of one FIR, lodged by one Nilotpal Dey, on 29.09.2026.

3.1. The essence of allegation in the FIR, dated 29.09.2026, is that one Parijat Swami, who happens to be the husband of the deceased person, namely, Rupanjali Dey @ Pinky, subjected her to mental and physical cruelty for dowry and he frequently quarreled with her and used to assault her causing injuries and his mother also joined with him. Further, in the year 2013, she gave birth a girl child and in spite of the same, the accused continued to treat her cruelty and sometimes, the informant had to come down from Delhi to Silchar to settle the dispute between the accused and the deceased. On 28.09.2026, at about 12:00 noon, the deceased made a telephonic call to the informant and requested him to send her some money for purchasing her medicines, but at about 03:30 pm, the accused informed the informant over telephone that his sister had allegedly set herself ablaze, at about 12:30/01:00 pm and thereafter, she was taken to the Hospital by the accused and at about 08:30 pm, the accused again informed the informant over telephone that she expired at Hospital.

4. Mr. Biswas, learned counsel for the accused, submits that the accused was arrested on 30.09.2026 and since then he has been languishing in jail hazot. Mr. Biswas further submits that the accused is innocent and no way involved with the offence alleged in the FIR and he was not present at his house at the time of the incident and that the deceased was suffering from depression and out of depression, she committed suicide by setting herself ablaze. Mr. Biswas also submits that the accused is ready to cooperate with the investigating agency and therefore, it is contended to allow this petition.

5. Per-contra, Mr. Borua, learned Additional Public Prosecutor, by producing

the case diary, submits that the IO has collected sufficient incriminating materials against the accused and that the investigation is going on and therefore, it is contended to dismiss the petition.

6. Having heard the submissions of learned counsel for both the parties, this Court has carefully gone through the petition as well as the documents placed on record and also perused the case diary with the assistance of learned Additional Public Prosecutor.

7. Perusal of the case diary reveals that the IO has collected sufficient incriminating materials in support of the allegation made in the FIR. The offences are serious in nature and investigation is still going on and enlarging the accused on bail, at this stage, will cause prejudice to the investigating agency.

8. In view of above, this Court is of the view that this is not a fit case where the privilege of bail can be extended to the accused.

9. Accordingly, this bail application stands dismissed.

10. The case diary be returned.

JUDGE

Comparing Assistant