GAHC010243382026

2026:GAU-AS:16426

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

Case No. : Bail Appln./3510/2026

SRI BISWANATH DAS
SON OF SRI PRAFULLA KUMAR DAS, RESIDENT OF H.NO.1A, TARULATA APARTMENT, NAYANPUR, BYELANE - 4, GANESHGURI, GUWAHATI - 781006, P.S. - DISPUR, DIST. - KAMRUP(M), ASSAM.

VERSUS

STATE OF ASSAM
REPRESENTED BY PP, ASSAM.

Advocate for the Petitioner : MR J MAHANTA, MS D DEVI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

10.11.2026

Heard Mr. M. Dutta, learned Senior Counsel assisted by Mr. J. Mahanta, learned counsel for the petitioner. Also heard Mr. R.R. Kaushik, learned Addl.P.P. for the State.

This is an application under Section 483 of BNSS, 2023 for granting bail to the accused Sri. Biswanath Das in connection with FIR dated 21.10.2026 lodged in Dispur Police Station being registered as Dispur P.S. Case No. 772/2026 under Section 108/3(5) of BNS, 2023.

The prosecution case, in brief, is that one Smt. Dipika Baishya, the informant, lodged an FIR alleging that her younger sister, Late Doly Baishya, who was employed with ICICI Prudential Life Insurance Company and residing as a tenant at Neeha Apartment, Hengrabari, Guwahati, had committed suicide by hanging. The informant alleged that the deceased had been in a relationship with the accused for approximately two years and that a suicide note purportedly left by the deceased implicated the accused and one Smt. Gargi Sarkar in the alleged physical and mental harassment of the deceased. The informant further alleged that disputes had arisen between the accused and the deceased after the accused married another woman, despite his earlier alleged assurance of marriage to the deceased. On the basis of the said allegations, the aforesaid police case was registered under Dispur P.S. Case No.772/2026 under Section 108/3(5) of Bharatiya Nyaya Sanhita (BNS).

The petitioner was arrested and produced before the Magistrate on 21.10.2026 whereafter, he was remanded to police custody and subsequently, to judicial custody and has now spent 21 days in custody.

It is submitted by the learned Senior Counsel that the petitioner as well as the deceased and co-accused are employees of the same office and although, the petitioner was in a relationship with the deceased in the year 2023, consequently, he got married to another lady in the year 2024 and despite that, and even thereafter, the deceased had been maintaining good relationship with the petitioner and also his wife and they regularly used to exchange Whatsapp messages, copies of which are annexed to the instant bail application.

The learned Addl. P.P. submits that although a suicide note was recovered, the same had been sent to FSL for forensic examination and therefore, the same is not available in the Case Diary.

As per the material available in the Case Diary including the statement of the complainant who is the sister of the deceased, there appears to be no such allegation of any such proximate act on the part of the petitioner which would have lead the deceased to commit suicide.

Having regard to the nature of allegations, the fact that the purported suicide note has also been seized, the further detention of the petitioner does not appear to be necessary.

Accordingly, the prayer for bail is allowed. The petitioner in connection with the aforesaid case shall be released on bail on furnishing a bail bond of Rs. 50,000/- with one (1) surety of like amount to the satisfaction of the learned

Trial Court under the following conditions:-

1. The petitioner shall cooperate with the investigation as and when called for by the I.O.

2. The petitioner shall not try to influence or intimidate the witnesses.

The petition stands allowed and disposed of accordingly.

Send back the Case Diary.

JUDGE

Comparing Assistant