GAHC010243552026

2026:GAU-AS:16902

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

Case No. : Bail Appln./3529/2026

SRI AMAL DEKA
S/O SRI BIREN DEKA, R/O NO.1 RUMAI GABHARUGAON, P.S. KAKOPOTHAR, DISTRICT TINSUKIA ASSAM. PIN-786152

VERSUS

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

Advocate for the Petitioner : MR. A K GUPTA, R BORAH,MR K J SAIKIA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 17.11.2026

Heard Mr. A.K. Gupta, learned counsel for the accused and Mr. P.S. Lahkar, learned Additional Public Prosecutor for the State respondent.

2. The petitioner is seeking regular bail under section 483 BNSS in connection with Sessions Case No. 100(T)/2026 (arising out of Kakopathar

PS Case No. 17/2026) pending before the learned Additional Sessions Judge-2, Tinsukia. The petitioner was arrested on 10.05.2026. The petitioner is facing trial for charges under Section 80 BNS (corresponding to Section 304 (b) IPC).

3. The informants' sister died due to burn injury and in regard to the same, he lodged an FIR on 11/04/2026, in which allegations of previous tortured in her matrimonial home is made and allegations were made about their suspicion that the victim was murdered in a pre-planned manner.

4. The investigation resulted in a charge sheet followed by commencement of trial and it is stated that out of the twenty listed witnesses in the charge sheet, eighteen have already been examined.

5. Referring to the testimony of the doctor of Astha Hospital, Dibrugarh (PW-16), the learned counsel draws attention to para 8 in which it is stated as follows:

> **8.** *During patient's admission in our Hospital, history was obtained and according to patient she suffered accidental burn injuries because of the petrol blast.*

6. It is also submitted that the petitioner is seeking bail as he wishes to adduce defence evidence in support of his contentions regarding the incident being an accident as revealed from the testimony of the MO.

7. The scanned records are also available.

8. The learned Additional Public Prosecutor submits that, on perusal, there are some materials regarding the victim's earlier complaint about

being subjected to dowry demand by her husband.

9. Nevertheless, considering the aspect emerging from the testimony of the informant and the length of detention and the progress of trial, I am of the considered view that the petitioner can be granted bail at this stage as prayed for by him.

10. Accordingly, it is directed that, the accused-petitioner, named above, shall be released on bail in connection with Sessions Case No. 100(T)/2026 (arising out of Kakopathar PS Case No. 17/2026), on furnishing bail bond of **Rs.50,000/-** with one suitable surety of the like amount to the satisfaction of learned Additional Sessions Judge-2, Tinsukia.

11. The direction for bail is further subject to the following conditions:

(a) He shall be available for the remaining trial;

(b) He shall not intimidate or influence any witnesses;

(c) He shall cooperate with the process of law; and

(d) He shall not in any manner harm or harass or intimidate the informant or his family members.

12. Violation or breach of any condition(s) shall entail cancellation of bail.

13. The bail application stands **allowed** and disposed of.

JUDGE

Comparing Assistant