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

Case No. : Bail Appln./3645/2026

RAKIBUL ALI ALIAS ROCKY
SON OF SATTAR ALI, RESIDENT OF HOUSE NO. 16, KAJIRANGA PATH, DAKHINGAON, P.S.- KAHILIPARA, DISTRICT KAMRUP M, ASSAM

VERSUS

THE STATE OF ASSAM
TO BE REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. P P DAS, R POKHREL,MR. SURAJIT DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

25.11.2026

1. Heard Mr. S. Das, learned counsel appearing for the petitioner. Also heard Mr. M.P. Goswami, learned APP appearing for the State of Assam.

2. By this application the petitioner has prayed for bail in connection with Dispur PS Case No. 607/2026 corresponding to PRC Case No. 3273/2026 pending before the Court of Chief Judicial Magistrate, Kamrup (M).

3. The FIR in connection with which the petitioner was arrested on 11.09.2026 was lodged by the father of the victim stating *inter alia* that the petitioner had forcibly established a physical relationship with the victim and had also demanded money from her family by threatening to publish the victim's private photographs on social media. It was further alleged that on 07.08.2026 the petitioner had forcibly taken the victim away, raped her and had also attempted to kill her.

4. The learned counsel for the petitioner submits that the petitioner and the victim were in a love relationship and that while they were travelling together on a scooty they met with an accident as a result of which both the petitioner and the victim sustained injuries.

5. On the other hand, Mr. M.P. Goswami, learned APP upon perusal of the case records submits that the victim in her statement recorded before the learned Magistrate stated that she was in a relationship with the petitioner but had subsequently attempted to end the relationship. It was further stated by the victim that on one occasion while they were travelling together on a scooty the petitioner hit her with the scooty when she got down from it. Accordingly, the learned APP opposes the prayer for bail and submits that the petitioner should not be enlarged on bail.

6. Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that the petitioner and the victim were in a relationship and also considering that the petitioner has been in judicial custody for the last 75 days, this Court is inclined to enlarge the petitioner on bail on his furnishing a bail bond of Rs. 20,000/- (Rupees twenty thousand) with one local surety of a like amount to the satisfaction of the learned Chief Judicial

Magistrate, Kamrup (M) subject to the following conditions:

(i) The petitioner shall appear before the Investigating Officer or Trial Court as and when called for,

(ii) The petitioner shall not hamper and tamper with the evidence of the case, and/or influence the witnesses,

(iii) The petitioner shall not leave his place of residence without the prior permission of the Investigating Officer; and

(iv) The petitioner shall not under any circumstances approach or contact the victim. In the event it is found that the petitioner has attempted to contact the victim even over the telephone, the prosecution shall be at liberty to move an application for cancellation of bail which shall be considered by this Court.

7. Accordingly, this Bail Application stands disposed of.

JUDGE

Comparing Assistant