GAHC010247202026

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

**Case No. : AB/2817/2026**

SRI SHANKI SINGH
, S/O SRI AMARESH SINGH R/O CHURCH ROAD, AMBIKAPATTY, P.O. AND P.S. SILCHAR, DISTRICT CACHAR, ASSAM. .PETITIO

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner** : MR. S BISWAS, MR. D MAZUMDAR,MS. S NATH,MS D DEVI

**Advocate for the Respondent** : PP, ASSAM, MS A M DCOSTA(INFORMANT),G SARMA(INFORMANT),MR. J SARMA(INFORMANT),MR. U CHOUDHURY(INFORMANT),MR. B M CHOUDHURY(INFORMANT)

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

**ORDER**

**Date : 16.11.2026**

Heard Mr. A. M. Bora, learned Senior counsel assisted by Mr. S. Biswas, learned counsel appearing for the accused applicant. Also heard Mr. B. Sarma, learned Additional Public Prosecutor appearing for the State of Assam and Mr. B.M. Choudhury, learned counsel for the informant.

**2.** This is an application under Section 482 of the BNSS, 2023 whereby the accused/applicant, namely, **Shanki Singh** is seeking Anticipatory Bail apprehending arrest in connection with an FIR, which is registered as Silchar P.S. Case No.910/2026 corresponding to G.R. Case No. 1752/2026 registered under Sections 115(2)/126(2)/3(5)/351(2)/74/75(1)/78(2) of BNS, 2023.

**3**. The facts involved in the instant case is that an FIR was lodged by one Debosmita Chakraborty, a first-year student of A.K. Chanda Law College, alleging *inter-alia* that on 12.10.2026 at around 6.10 p.m, there was a sudden load shedding in the college campus and due to the extreme humid atmosphere inside the tent covered college campus, she, along with a fellow student, went upstairs to get some fresh air during the college Sharad Utsav Programme. It is alleged that taking advantage of darkness, the accused/applicant who appeared to be highly intoxicated, followed her upstairs along with a few other intoxicated persons. It is further alleged that the accused/applicant caught hold of her right wrist, directed her classmate to leave, forcibly pulled her towards him and dragged her towards the terrace in the presence of her classmates.

**4.** On receipt of the FIR, the police registered the Silchar P.S. Case No.910/2026 under the aforementioned sections.

**5.** Mr. A. M. Bora, learned Senior Counsel appearing for the accused/applicant, submits that the accused/applicant is the Vice-Principal of the concerned college and has been wrongly implicated by the victim in the instant case. It is submitted that, in fact, when the electricity supply was disrupted on the campus, the victim girl, along with some of her friends, went upstairs. On seeing them going upstairs, the accused/applicant asked them to come downstairs, as he had witnessed certain inappropriate behaviour on the

part of the students. He further submits that the accused/applicant is a responsible person and is not involved in any of the activities alleged against him. It is submitted that the accused/applicant has received notices from the police requiring him to appear before them, giving rise to an apprehension of his arrest. Accordingly, learned Senior Counsel submits that the accused/applicant may be granted pre-arrest bail, as he is willing to cooperate with the investigation of the case.

**6.** Mr. B. Sarma, learned Additional Public Prosecutor appearing for the State of Assam, on the other hand, opposes the prayer for bail submits that there are incriminating materials against the accused/applicant in the instant case.

**7.** Mr. B.M. Choudhury, learned counsel for the informant, submits that the accused/applicant has misbehaved with and ill-treated the victim by displaying sexually improper conduct towards her. He further submits that the family of the victim girl has been receiving threats and has, on several occasions, been pressurised to withdraw the case. Therefore, he submits that the accused/applicant should not be granted anticipatory bail at this stage.

**8.** Case Diary in the in the instant case has been received and the same is perused.

**9.** This Court has considered the submissions made by the learned counsel for the parties and has gone through the materials available in the CD.

**10.** Taking into account the materials available in the case diary and the allegations made in the FIR, this Court is of the considered opinion that the accused/applicant should be given the privilege of pre-arrest bail at this stage. Accordingly, it is directed that in the event of arrest of the accused/applicant by

the investigating authority, he shall be released on pre-arrest bail on furnishing of bail bond of Rs.50,000/- (Rupees fifty thousand) only with one 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 a period of 10(ten) days from today and such other dates as required; and co-operate with the investigation as and when required;

2. That the accused/applicant shall not hamper or tamper with the investigation in any manner;

3. That the accused/applicant shall not try to get in touch with the victim girl or her family, in whatsoever manner; and

4. That the accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person/witness acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer in connection to this Police Station Case.

**11.** If any of the conditions are found to be violated by the accused/applicant then the Investigating Officer shall be at liberty to seek cancellation of the

anticipatory bail granted to the accused/applicant.

**12.** In terms of the aforesaid directions, the instant Anticipatory Bail Application stands disposed of as allowed.

**13.** Case Diary be send back.

**JUDGE**

**Comparing Assistant**