GAHC010248682026

2026:GAU-AS:17428

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

Case No. : Bail Appln./3590/2026

IMAM MEHDI ALOM
SON OF ABDUL JALIL, VILLAGE TATIKATA PATHAR, P.S. BHELOWGURI, DISTRICT MORIGAON, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, GAUHATI HIGH COURT, GUWAHATI, ASSAM.

2:Monir Uddin (Gaon Pradhan)
S/O- Late Shansuddin
R/O- Barchapari
P.O- Goroimari Pather
P.S.- Bhelowguri
Dist- Morigaon
Assam
Pin- 782126

Advocate for the Petitioner : MOTIUR RAHMAN, MS. M BEGUM,R ALI,MR. A S TAPADER

Advocate for the Respondent : PP, ASSAM, MR. M RAHMAN(R2)

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 25.11.2026

Heard Mr. M. Rahman, learned counsel appearing on behalf of the accused-applicant. Also heard Mr. R.J. Baruah, learned Addl. P.P., representing the State respondent as well as Mr. M. Rahman, learned counsel for the respondent no. 2.

2. This is an application filed under Section 483 of the BNSS, 2023, praying for granting bail to the accused-applicant in connection with Bhelowguri Police Station Case No. 61/2026, registered under Section 64(2)(m) of BNS, 2023, read with Section 6 of POCSO Act and Section 9 of PCM Act.

3. The gist of the case is that on 27.10.2026, the complainant, who is the Gaon Pradhan of Tatikata Pathar, filed an FIR before the Officer In-charge, Bhelowguri PS alleging that the accused-applicant had married a minor girl and they have been living as husband and wife, in spite of knowing that the girl was a minor when the marriage had taken place.

4. On the basis of the FIR, police registered Bhelowguri Police Station Case No. 61/2026, under the aforesaid sections.

5. Learned counsel for the accused-applicant submits that the victim girl is a major now and the victim girl and the accused-applicant are staying together as husband and wife after the marriage. He submits that since the accused-applicant and the victim girl are living together peacefully after the marriage, the accused-applicant, at this stage, should be granted bail.

6. The learned Addl. PP, on the other hand, opposes the prayer for bail, contending that accused-applicant married the victim girl with the knowledge that

the girl was a minor at the time of marriage.

7. The learned counsel for the respondent no. 2 submits that he does not have any objection in granting bail to the accused-applicant as the accused-applicant and the victim girl have been living together as husband and wife.

8. Case Diary in the instant matter has been received and the same is perused by this Court.

9. Taking into account the entire facts of the case as well as on consideration of the submissions made by the counsel appearing for the parties, this Court is of the considered opinion that the accused-applicant should be granted bail at this stage. Accordingly, it is directed that the accused-applicant be released on bail on furnishing a bail bond of Rs. 30,000/- (Thirty Thousand) with a surety of like amount to the satisfaction of the Special Judge (POCSO), Morigaon, subject to the following conditions:

1. *That the accused-applicant shall appear before the I.O., as and when required;*

2. *That the accused-applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or police.*

10. In terms of the aforesaid direction, the instant bail application is disposed of as allowed.

JUDGE

Miriam Degu
(SPA)