GAHC010252792026

2026:GAU-AS:16923

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

**Case No. : Bail Appln./3744/2026**

SALAM UDDIN MONDAL
S/O ABDULLA MONDAL, VILLAGE- BHOGDAHAR, P.S. DHUBRI, DISTRICT- DHUBRI, ASSAM.

VERSUS

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

**Advocate for the Petitioner** : MR. S H RAHMAN, SWEETY PARBIN

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**
**HONOURABLE MRS. JUSTICE SHAMIMA JAHAN**

**ORDER**

**17.11.2026**

**1.** Heard Mr. S.H. Rahman, learned counsel appearing for the petitioner. Also heard Mr. P. Borthakur, learned APP appearing for the State of Assam.

**2.** By this application the petitioner has prayed for bail in connection with Sessions Case No. 102/2026 arising out of Sribhumi P.S. Case No. 132/2026 registered under Sections 329(4)/74/76 of the BNS, 2023 pending in the Court

of Additional Sessions Judge (FTC), Sribhumi.

**3.** The FIR in connection with which the petitioner was arrested on 09.06.2026 was lodged by the victim herself stating *inter alia* that the petitioner had entered her rented house and outraged her modesty. It was further alleged that when she raised a hue and cry the neighbours came to her rescue and apprehended the petitioner.

**4.** The learned counsel appearing for the petitioner submits that upon completion of the investigation, the police have submitted the charge sheet and the trial has commenced. In this regard he has referred to the statement of the informant-victim recorded before the learned Trial Court wherein during her cross-examination, she stated that she was in a relationship with the accused person and that on one occasion while they were together in the house some persons from the locality entered the house and assaulted them. She further stated that she had not written the Ejahar herself and that the police had tutored her to depose before the learned Magistrate while recording her statement under Section 183 of the BNSS.

**5.** On the other hand Mr. P. Borthakur, learned APP appearing for the State submits that the trial is in progress and four more witnesses are yet to be examined. He therefore submits that the prayer for bail may be considered after the examination of the said witnesses.

**6.** Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the statement made by the informant before the learned Trial Court that she had not lodged the Ejahar herself and that she was in a relationship with the petitioner, this Court is inclined to enlarge the

petitioner on bail on 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 Additional Sessions Judge (FTC), Sribhumi subject to the following conditions:

(i) The petitioner shall appear before the 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; and

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

**7.** Accordingly, this Bail Application stands disposed of.

**JUDGE**

**Comparing Assistant**