

GAHC010279212025



2026:GAU-AS:929

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

Case No. : Bail Appln./4066/2025

AJIDUR RAHMAN ALIAS AZIDUR RAHMAN
S/O LATE MAJIBAR RAHMAN, RESIDENT OF VILL- BHELLA DORGAHPUR,
P.O.- BHELLA, P.S. DISTRICT BARPETA, ASSAM. PIN- 781309

VERSUS

STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM.

2:MOMITA BEGUM
W/O BABUL ALI
RESIDENT OF VILL- DORGAHPUR BHELLA
P.O.- BHELLA
P.S. DISTRICT - BARPETA
ASSAM. PIN-78130

Advocate for the Petitioner : MS. S NAZNEEN, MR. K M HASSAN

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

28.01.2026

Heard Mr. K.M. Hassan, the learned counsel appearing for the petitioner. Also heard Mr. B. Sarma, the learned Addl. Public Prosecutor, Assam as well as Mr. D. Ullah, the learned Amicus Curiae representing the Respondent No.2.

2. This is an application under Section 483 of the BNSS, 2023 whereby the petitioner Ajidur Rahman @ Azidur Rahman who is facing trial in Special POCSO Case No.80/2025 pending in the court of learned Addl. Sessions Judge-cum-Special Judge (POCSO), Barpeta has prayed for releasing him on bail.

3. The victim girl has already been examined by the trial court. The occurrence took place on 14.06.2025. When the victim girl testified before trial court on 19th December, 2025, she claimed to be 18 years old.

4. Mr. Ullah has submitted that she (the victim girl) was 17 years 10 months on the date of occurrence.

5. I have gone through the evidence.

6. The petitioner has already spent 117 days in judicial custody. This Court is of the opinion that the petitioner no longer deserves to be detained in custody for any further period of time. His bail application is allowed.

7. The petitioner, namely- Ajidur Rahman @ Azidur Rahman who is facing trial in Special POCSO Case No.80/2025 pending in the court of learned Addl. Sessions Judge-

cum-Special Judge (POCSO), Barpeta, shall be released on bail of ₹25,000/- with a surety of like to the satisfaction of the trial court i.e. the learned Addl. Sessions Judge-cum-Special Judge (POCSO), Barpeta.

8. It is also directed that the above-mentioned petitioner shall regularly appear before the trial court on each and every date of hearing. If he fails to do so, the trial court shall have the liberty to procure his attendance by following due process of law.

With the aforesaid direction, the bail application is disposed of.

JUDGE

Comparing Assistant