

GAHC010005522026



2026:GAU-AS:5650

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

Case No. : AB/83/2026

SRIMONTA MADHAB SAIKIA ALIAS SRIMANTA SAIKIA
S/O MOHEN SAIKIAR/O SANKARDEV RAILWAY COLONY, DIBRUGARH
WEST, DIBRUGARH, ASSAM, PIN-786001.

VERSUS

THE STATE OF ASSAM AND ANR
REP. BY THE PP, GOVT. OF ASSAM

2:RABATI SAIKIA
W/O RAJU SAIKIA
R/O VILL- NO. 2 GOMARI
P.S. MERAPANI
DIST. GOLAGHAT
ASSA

Advocate for the Petitioner : MR S DEWRI, P P BORA,MR P SONOWAL

Advocate for the Respondent : PP, ASSAM, MR. D ULLAH, AMICUS CURIAE (R-2)

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

24.04.2026

Heard Mr. P.P. Bora, learned counsel appearing for the petitioner. Also heard Mr. Bhaskar Sharma, learned Addl. Public Prosecutor, Assam as well as Mr. D. Ullah, the learned Amicus Curiae representing Respondent No.2.

2. This is an application under Section 482 of the BNSS, 2023 praying for pre-arrest bail in respect of Merapani P.S. Case No.100/2025 under Sections 351(3)/64(2)(m)/143(4) and 96 of BNS, 2023 read with Section 6/4/15 of the POCSO Act.

3. A 16 year old girl was taken to the house of her neighbour where the said neighbor had confined her in her house. While she was in confinement, she allegedly brought the present petitioner who had forcible sexual intercourse with the said 16 years old girl.

4. I have gone through the statement of the victim girl that was recorded under Section 183 of the BNSS, 2023.

5. I have considered the submissions made by the learned counsel of both sides.

6. The petitioner is not entitled to be given the privilege of pre-arrest bail. His prayer for pre-arrest bail is rejected.

The application for bail is disposed of.

JUDGE

Comparing Assistant