

GAHC010023832026



2026:GAU-AS:3829

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

Case No. : AB/264/2026

DIPANKAR DEY
s/O- SANTOSH DEY R/O- LOKNATH BHABAN, MORIANI 4 NO STATION,
MARIANI. PO PS- BOKAKHAT DIST- JORHAT, ASSAM, PIN- 785612
PH7002211201

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR K DAS, MS. P KALITA, MR H GOGOI, MRS. R T DAS, MR. S DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 16-03-2026

Heard Mr. S. Das, the learned counsel for the petitioner. Also heard Mr. B. Sharma, the learned Additional Public Prosecutor appearing on behalf of State respondent.

2. This is an application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 for granting pre-arrest bail to the petitioner, namely, **Dipankar Dey** in connection with Bokakhat P.S. Case No. 11/2026 under Sections 69 of BNS, 2023.

3. Case Diary received. Perused the same.

4. It is submitted by Mr. Das, the learned counsel for the petitioner that the present accused/petitioner had already appeared before the I/O after obtaining the order of interim pre-arrest bail dated 18.02.2026 and cooperated in the investigation of this case. He is still ready and willing to extend his cooperation in the further investigation of this case, if he is granted with the privilege of pre-arrest bail.

5. Mr. Das further submitted that from the ingredients made in the complaint petition itself it is seen that the petitioner and the victim had consensual relationship from the very beginning and as per allegation also he sent some tablets to abort her pregnancy through courier which is not accepted. Further, it is seen that they had no relationships since July, 2024 but only after the marriage of the petitioner on November, 2025 she lodge a false case with some concocted allegations. However, he is ready and willing to extend his cooperation in further investigation of this case.

6. Mr. Sharma, the learned Additional Public Prosecutor submitted in this regard that the petitioner in her statement made u/s 183 BNSS brought sufficient incriminating materials against the present petitioner and wherein she alleged that he committed rape on her on the false promise of marriage.

Accordingly, Mr. Sharms raised objection and submitted that it may not be a fit case to extend the privilege of pre-arrest bail to the present petitioner. However, he submitted that after obtaining the order of interim pre-arrest bail he appeared before the I/O and cooperated in the investigation of this case.

7. Hearing the submissions made by learned counsel for both sides, considering the materials available in the Case Diary and further the conduct of the present accused/petitioner, I find that further custodial interrogation may not be required for the purpose of investigation.

8. In view of above, the order of interim pre-arrest bail granted to the present petitioner vide order dated 18.02.2026 is hereby made absolute with same terms and conditions.

JUDGE

Comparing Assistant