

GAHC010082252026



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

Case No. : AB/879/2026

SRIBASH ROY
S/O DINESH ROY
R/O NO. 2 MAKELI, CHAMARIA
P.S. BOKO
DIST. KAMRUP (R), ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PP, ASSAM

2:SRI INDRAJIT SARKAR
S/O GOSTORAM SARKAR
R/O SOLAPATHAR
P.S. BOKO
DIST. KAMRUP (R)
ASSAM

Advocate for the Petitioner : MR. A AHMED, MR. S H ZAMAN,U U KHAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 04-05-2026

Heard Mr. A. AHmed, learned counsel for the petitioner. Also heard Mr. M.P

Goswami, learned Addl. P.P appearing for the State.

This is an application under Section 482 BNSS, 2023 praying for granting anticipatory bail to the accused/petitioner, namely Sribash Roy who is apprehending arrest in connection with Azara P.S Case No. 33/2026 u/s 87/70(2) of BNS r/w section 6 of POCSO Act.

Call for the Case Dairy from the concerned Azara P.S.

Issue notice.

Notice upon respondent No.2 shall be taken through the Office of the learned P.P and to be executed through the concerned Police Station. The prosecution should take instructions regarding the same.

The learned counsel for the petitioner seeks for an interim protection on the grounds of the role attributed to the petitioner in the FIR dated 25.03.2026. Perse, the allegation is serious inasmuch as it is alleged that one accused Arup Mondal along with other people kidnapped the informant's daughter and raped her. However, the only reference to the present petitioner in the FIR is that on 16/03/2026, the petitioner Sribash Roy and three others produced his daughter at the Police outpost.

Thus, I find that no allegations made against him about kidnapping or sexual offence. The learned counsel submits that he is a Ward Member of the Panchayat and he rather helped in recovery of the girl.

In the given facts and circumstances, I am of the considered view that the petitioner should be given an opportunity to co-operate with the investigation and record his statement.

In such view of the matter, in the interim, it is directed that, in the event of arrest of the accused/petitioner in connection with the aforementioned case; he shall be released on bail on furnishing a bail bond of Rs. 40,000/- to the satisfaction of the arresting officer, subject to the condition that; he will co-operate with the investigation; he shall appear before the I.O for recording his statement and he shall not hamper or tamper with the evidence. Violation of any such bail conditions shall

entail cancellation of the bail.

List this matter again on **25.05.2026**.

JUDGE

Comparing Assistant