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

**Case No. : AB/1619/2025**

ANIL CHANDRA NATH  
SON OF LATE PRIYA RAM NATH  
R/O VILL- NABHETI, WARD NO. 9, P.O. AND P.S. MORIGAON, DIST.  
MORIGAON, ASSAM, PIN-782105

VERSUS

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

2:SWAPNA BHARALI  
W/O KAMALESWAR BHARALI  
VILL- DOLOICHUBA  
P.O. AND P.S. MORIGAON  
DIST. MORIGAON  
ASSAM  
PIN-782105

**Advocate for the Petitioner** : MR. S B LASKAR, MS D DUTTA, MR. A S TAPADER

**Advocate for the Respondent** : PP, ASSAM, MS. M K BROWN, Amicus Curiae, (R-2)

**BEFORE**  
**HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

**ORDER**

**26.09.2025**

Heard Mr. SB Laskar, learned counsel for the petitioner and Mr. KK Parasar,

learned Additional Public Prosecutor, Assam for the respondent no.1 and Ms. MK Brown learned Amicus Curiae for the respondent no.2.

2] This application under Section 482 of the BNSS, 2023 has been filed by the petitioner, namely, Anil Chandra Nath apprehending his arrest in connection with Morigaon Police Station Case No. 352/2024 under Section 75(2)/78(2) of BNSS, 2023 read with Section 10/12 of POCSO act, 2012 (Corresponding to GR Case No.1607 of 2024).

3] The gist of accusation in this case is that the mother of the victim girl had lodged an FIR on 26.12.2024, before the Officer-In-Charge of Morigaon Police Station, inter-alia, alleging that her daughter is a student of Class-X of Doloichuba High School, where the petitioner is working as the Headmaster. It is alleged that about four months prior to the lodging of the FIR, the daughter of the informant was sexually harassed in various ways.

4] It is further stated that out of shame, the victim did not disclose the matter to anybody else. It is further stated in the FIR that the petitioner has not only subjected the daughter of the informant to sexual harassment, but he is doing so with other students also.

5] This is for the 3<sup>rd</sup> time the petitioner is approaching this Court for seeking protection under Section 482 of the BNSS, 2023 in connection with the aforesaid

case. On earlier 2 occasions his prayer for Anticipatory Bail was rejected after perusal of the case diary. This time the petitioner has filed a letter dated 28.07.2025 submitted by 10 (ten) number of students addressed to the Inspector of the Schools, Morigaon District, wherein it has been mentioned that the signatories of the letter had on earlier occasion made statement against the petitioner without understanding the consequence. Learned counsel for the petitioner submits that the said students were pressurised by various organisation to depose against the petitioner. He further submits that in the meanwhile the informant has also entered into compromise with the petitioner by executing the deed of Resolution of Dispute on 17.06.2024. Learned counsel for the petitioner has submitted that in view of the new materials produced by the petitioner and in view of the fact that he is ready to co-operate with the investigation he may be allowed to go with the anticipatory bail.

6] On the other hand, learned Additional Public Prosecutor, Assam, has vehemently opposed to the grant of bail to the petitioner on ground that on earlier occasions also the petitioner took the plea that he has been falsely implicated and this Court after perusal of the case diary had rejected the prayer made by the petitioner on 2 (two) earlier occasions.

7] Ms. MK Brown, learned Amicus Curiae for the respondent no.2 has made

submissions similar to that of learned Additional Public Prosecutor, Assam in addition to that she has also submitted that the letter on which the petitioner is relying this time for seeking bail itself shows that the letter was written by the signatories students due some kind of pressure as it has been stated that they are worried about their future carrier and life and therefore, they have prayed for ignoring their earlier complaint.

8] I have considered the submissions made by the learned counsel for the parties and have gone through the case diary.

9] The accusation against the petitioner is that being the Headmaster of Doloichuba High School, Morigaon, he had subjected not only the victim girl to sexual harassment but also some other girls students also who implicated the petitioner of subjecting them to sexual harassment in the school. The letter dated 28.07.2025 submitted by the some of the students of the school appears to be not free from any pressure as the language used therein itself indicates to that fact.

10] This Court is of the considered opinion that, in view of the sufficient incriminating materials against the petitioner in the case diary, and considering the fact that on two earlier occasions the prayer for anticipatory bail was rejected after perusal of the case diary, this is not a fit case for granting the

benefit of an order under Section 482 BNSS in favour of the petitioner at this stage. The prayer for Anticipatory Bail is therefore rejected.

Send back the case diary.

**JUDGE**

**Comparing Assistant**