

GAHC010231572025



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

Case No. : AB/2489/2025

BASANTA SAIKIA
S/O- LATE RATNESWAR SAIKIA, R/O- RATANPUR, P.O. RATANPUR, P.,S.
JENGRAIMUKH, DISTRICT MAJULI, ASSAM, PIN- 785110

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P., ASSAM

Advocate for the Petitioner : MR S R A NASER, MR. R SAIKIA,MR S AHMED,S K SARFRAJ
KARIM,MR S AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

17.10.2025

Heard Mr. S R A Naser, learned counsel for the accused applicant and Mr. R J Baruah, learned Additional Public Prosecutor, Assam for the State.

2. This is an application under Section 482 BNSS, 2023 for grant of pre-arrest bail to the accused applicant, namely, **Shri Basanta Saikia**, in connection with Garamur Police Station G.D. Entry No. 17/2025 dated 13.10.2025.

3. Learned counsel for the accused applicant submits that the accused applicant is a Grade-III Government employee in the Office of the District Commissioner, Majuli. He submits that a complaint has been filed before the Garamur Police Station alleging sexual assault by one Ms. Rashmi R. Gayan, who also works in the same office. He submits that though no case against the accused applicant has been registered as yet, but he has received a Notice under Section 35(3) of the BNSS, 2023 from the Garamur Police Station, asking him to appear before the investigating authority on 17.10.2025.

4. Apprehending his arrest, the accused applicant has filed this pre-arrest bail application seeking pre-arrest bail.

5. Learned APP, Assam for the State submits that since the accused applicant has received Notice under Section 35(3) of the BNSS for appearance before the investigating authority in connection with said Garamur Police Station G.D. Entry No. 17/2025 dated 13.10.2025, the accused applicant should appear before the investigating authority.

6. After hearing the respective submissions made by the learned counsels for the parties, this Court is of the opinion that the accused applicant should be given the privilege of interim pre-arrest bail at this stage, so that he can appear before the investigating authority and co-operate with the further investigation.

7. Accordingly, it is directed that in the event of arrest of the accused applicant by the investigating authority, he should be released on interim pre-arrest bail on furnishing a bail bond of Rs. 20,000/- (Rupees Twenty Thousand) only, with one local surety of the like amount, to the satisfaction of the arresting authority, subject to the following conditions –

(i) The accused applicant shall appear before the investigating authority within 10 (ten) days from today;

(ii) The accused applicant shall co-operate with the investigation and shall make

himself available before the investigating authority as and when required; and

(iii) The accused applicant shall not, in whatsoever manner, try to hamper and/or temper with the investigation of the instant case.

8. Let the matter be listed after 2 (two) weeks, on a date to be fixed by the Registry.

JUDGE

Comparing Assistant