

GAHC010288452025



2026:GAU-AS:28

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

**Case No. : AB/3049/2025**

SRI SURAJ KR RAI  
SON OF SRI SUBAHADUR RAI, RESIDENT OF BORHOLLA BEKAJAN, P.S.  
BORHOLLA, DISTRICT JORHAT, ASSAM, PRESENTLY SERVING AS A  
GRADE IV STAFF COOK IN 3RD APBN., TITABAR, P.S. TITABAR, DISTRICT  
JORHAT, ASSAM, PIN 785630.

VERSUS

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

**Advocate for the Petitioner** : MR. S N TAMULI, MS. A BEGUM, MS P DEKA

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE  
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**Date : 05.01.2026**

- 1.** Heard Mr. S. N. Tamuli, learned counsel for the petitioner. Also heard Mr. Bhaskar Sharma, learned Additional Public Prosecutor for the State of Assam.
- 2.** This application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in respect of Titabar P.S. Case No.05/2025, registered under Section 75/76/79 of BNS.
- 3.** A married woman has alleged in the FIR that on 09.01.2025, at about 5 pm, the petitioner offered obscene proposal to her and also touched her private parts inside her room, she however managed to free herself and ran away from the spot.
- 4.** The documents available in the record shows that the petitioner was co-operating with the investigating Officer at the time of investigation but he now apprehends that the Charge-Sheet has been filed alleging commission of sessions triable offences, the Court which issued summons to him to appear, would not allow him to go on bail because this Court does not have the jurisdiction to entertain his bail application.
- 5.** I have considered the submission made by learned counsel for both the sides.
- 6.** This Court is of the opinion that under the given circumstances the petitioner does not deserve to be detained in custody for the allegation brought against him.
- 7.** The pre-arrest bail application of the petitioner is allowed accordingly.

**8.** It is hereby directed that the petitioner Suraj Kr. Rai shall appear before the Court of learned Sub-Divisional Judicial Magistrate (M), Titabar in connection with PRC Case No.37/2025 within next 7 (seven) days from today.

**9.** On his appearance, the petitioner, Suraj Kr. Rai shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the learned Judicial Magistrate First Class, Titabar.

**10.** The petitioner is directed regularly appear before the Trial Court on each and every date of hearing and if he fails to do so, the Trial Court shall have the liberty to procure his attendance in accordance with the procedure as laid down by law.

**11.** With the aforesaid direction, the pre-arrest bail application is disposed of.

**JUDGE**

**Comparing Assistant**