GAHC010210302026

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

**Case No. : AB/2399/2026**

MABIYA BEGUM ALIAS MABIA BEGUM AND ANR
W/O AMIR ALI
RESIDENT OF VILLAGE BECHIMARI PS DALGAON DISTRICT DARRANG
ASSAM

2: MARFAT ALI
S/O AMIR ALI
RESIDENT OF VILLAGE BECHIMARI PS DALGAON DISTRICT DARRANG
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

**Advocate for the Petitioner** : MR M HOQUE, MS. F YASMIN,MS J BEGUM

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

**BEFORE**
**HONOURABLE MRS. JUSTICE SHAMIMA JAHAN**

**ORDER**

**Date : 15.10.2026**

Heard Mr. M. Hoque, learned Counsel for the petitioners and Mr. B. Sharma, learned Additional Public Prosecutor for the State.

2. By this application, the petitioners have prayed for pre arrest bail in

connection with Dalgaon PS Case No. 70/2026 registered under Section 109/118(2)/3(5) of BNS, 2023 with added Section 103(1) of the BNS, 2023. The FIR in connection with which the petitioners are apprehending arrest was lodged on 05.05.2026 by the father of the deceased stating inter alia that the petitioners along with others have killed his married daughter at their own residence by hitting her with a hammer on her head.

3. The learned Counsel for the petitioners submits that the petitioners are no way connected with the offence as they stay separately from the deceased and her husband.

4. On the other hand, Mr. B. Sharma, learned Additional Public Prosecutor for the State on perusal of the Case Diary submits that the husband of the petitioner had admitted that he is the one, who had hit the victim.

5. Upon considerations of the submissions made by the learned Counsels for the parties, more so in view of the fact that no specific allegations were made against the petitioners and no materials have been found against the petitioners in the Case Diary, this Court deems it fit to enlarge the petitioners on pre arrest bail on furnishing of bail bond of Rs. 20,000/- each with one local surety each of the like amount to the satisfaction of the Arresting Authority under the following conditions:

i) the petitioners will appear before the Investigating Officer within 15 days from the date of the order.

ii) the petitioners will appear before the Investigating Officer thereafter as and when called for.

iii) the petitioners will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iv) the petitioners will not leave the place of jurisdiction without the permission of the Arresting Authority.

6. Petition is disposed of.

**JUDGE**

**Comparing Assistant**