GAHC010220452026

2026:GAU-AS:15631

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

Case No. : Bail Appln./3104/2026

MD AYANAL HOQUE ALIAS AYNAL HOQUE
S/O- LATE TAMEJ ALI, R/O VILI - KAHIKUCHI PART II, P.S- BARPETA, DIST.- BARPETA, ASSAM.

VERSUS

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

Advocate for the Petitioner : MR. A ALI, MR. R ISLAM,MR S ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

14.10.2026

1. Heard Mr. A. Ali, learned counsel appearing for the petitioner. Also heard Ms. A. Begum, learned APP appearing for the State of Assam.

2. By this application the petitioner has prayed for bail in connection with Gorchuk P.S. Case No.193/2025 registered under Section 103(1) of the BNS, 2023.

3. The FIR in connection with which the petitioner was arrested on 23.07.2026 was lodged by police personnel of Gorchuk Police Station stating *inter alia* that upon receiving information regarding the discovery of a woman's dead body inside a rented house, a police team visited the place of occurrence and found the dead body inside the said house. It was further stated in the FIR that upon interrogation the police came to learn that the husband of the deceased had left the rented house on 19.07.2026 after locking the room from outside and had not returned thereafter. On 21.07.2026 suspecting something unusual, the landlord opened the room whereupon the dead body of the woman was found. This is the second bail application filed by the petitioner, the first having been rejected by this Court.

4. The learned counsel appearing for the petitioner submits that the grounds for filing the present second bail application are that the petitioner has been in custody for 84 days as of today and that as per the FSL report the deceased died due to consumption of poison.

5. Ms. A. Begum, learned APP on the other hand upon perusal of the case diary submits that although the FSL report indicates that the deceased had consumed poison but the post-mortem report records the presence of a ligature mark around the neck of the deceased. She further submits that no witness has stated that any other person entered the rented house after the petitioner had left the premises by locking the room from outside. Accordingly, she opposes the grant of bail to the petitioner.

6. Upon consideration of the submissions made by the learned counsel for the parties and upon perusal of the case diary, this Court finds that although a ligature mark was noted around the neck of the deceased, the doctor has not opined that the death was caused by strangulation. Rather the FSL report

indicates that the deceased had consumed poison. Further as the dead body was discovered two days, after the room had been locked from outside, the possibility of another person having entered the premises during the intervening period cannot be ruled out at this stage. Considering that the petitioner was arrested on suspicion, this Court deems it appropriate to enlarge the petitioner on bail. Accordingly, the petitioner shall be released on bail upon furnishing a bail bond of Rs. 20,000/- (Rupees twenty thousand) with one local surety for a like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M) subject to the following conditions:

(i) The petitioner shall appear before the Investigating Officer as and when called for,

(ii) The petitioner shall not hamper and tamper with the evidence of the case, and/or influence the witnesses; and

(iii) The petitioner shall not leave his place of residence without the prior permission of the Investigating Officer.

7. Accordingly, this Bail application is disposed of.

JUDGE

Comparing Assistant