

GAHC010151912023



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

**Case No. : AB/2460/2023**

ANIMA DOLOI  
W/O LATE CHENIRAM DOLOI  
R/O TOPATOLI  
P.O. TOPATOLI  
P.S. KHETRI  
DIST. KAMRUP (METRO), ASSAM

VERSUS

THE STATE OF ASSAM  
REP. BY THE PP, ASSAM

**Advocate for the Petitioner : MR. N UDDIN**

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

**BEFORE**  
**HONOURABLE MRS. JUSTICE MALASRI NANDI**

**ORDER**

**Date : 10.08.2023**

Heard Mr. S.K. Chetri, learned counsel appears on behalf of Mr. N. Uddin, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned

Additional Public Prosecutor for the State.

This is an application filed under **Section 438 Cr.P.C.**, praying for pre-arrest bail by the petitioner, namely, **Anima Doloi**, in connection with **Khetri P.S. Case No. 93/2023**, registered under **Sections 294/325/326 IPC**.

It is submitted by the learned counsel for the petitioner that the petitioner is the mother-in-law of the victim. The allegation against her is that on the day of the incident, she assaulted the victim with *dao* causing injury on her person. It is also submitted that the petitioner and victim used to quarrel with each other and she herself inflicted such injury. Learned counsel for the petitioner further submitted that the petitioner is no way connected in the alleged offence as stated in the FIR. It is also submitted that the petitioner is aged about 45 years. At this juncture, custodial interrogation of the petitioner is not required. Hence, the benefit of pre-arrest bail may be granted to the petitioner.

On the other hand, Mr. Sarma, learned Additional Public Prosecutor for the State has opposed in granting the privilege of pre-arrest bail to the petitioner. It is also submitted that as per medical report, the victim sustained injury which was grievous in nature caused by sharp weapon. Therefore, the prayer of the petitioner may not be considered at this stage.

I have considered the submissions made by the learned counsel for the parties.

I have also perused the case diary. It reveals that as per medical report, the victim sustained laceration on her left palm. It also appears

that substantial part of investigation has been completed. In view of the above and considering the materials available in the case diary, the petitioner is granted the privilege of pre-arrest bail.

Accordingly, it is provided that in the event of arrest of the petitioner, named above, in connection with **Khetri P.S. Case No. 93/2023**, registered **under Sections 294/325/326 IPC**, she shall be released on furnishing bail bond of **Rs.10,000/-** with **a suitable surety** of the like amount, to the satisfaction of the arresting authority.

The direction for pre-arrest bail is subject to the conditions that the petitioner:

- (a) shall appear before the Investigating Police Officer within ten days from today and shall co-operate with the investigation;
- (b) shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.
- (c) shall not commit such offence as alleged in the FIR in future.

The anticipatory bail application stands disposed of accordingly.

Return the case diary.

**JUDGE**

**Comparing Assistant**