

GAHC010073962024



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

**Case No. : AB/938/2024**

SUKURI KHATUN  
W/O- SAGAR ALI, VILL.- JHARNARCHAR FT. I, P.O.- JHARNARCHAR, P.S.-  
FAKIRGANJ, DIST.- DHUBRI, ASSAM, PIN- 783339.

VERSUS

THE STATE OF ASSAM  
REP BY THE PP, ASSAM

**Advocate for the Petitioner : MR. SURAJIT DAS**

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

**BEFORE**  
**HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**  
**ORDER**

**07.06.2024**

Heard Mr S Das, learned counsel for the petitioner, Sukuri Khatun.

2. The petitioner has filed this application under Section 438 CrPC, with prayer for pre-arrest bail, as she is apprehending arrest in connection with PRC Case No. 1855/2023, arising out of Fakirganj PS Case No. 136/2018, corresponding to GR Case No. 2705/2018, registered under Sections 120(B)/304(B)/34 of the Indian Penal Code,

1860

3. Heard Ms S Jahan, learned Additional Public Prosecutor for the State of Assam/respondent.
4. It is submitted that charge sheet has been laid against the petitioner and her husband.
5. The allegation against the petitioner is that she along with her husband and other family members have assaulted the victim. The victim was the second wife of the accused Sagar Ali and the present petitioner is the first wife of accused Sagar Ali.
6. I have considered the submissions at the Bar with circumspection.
7. It is submitted on behalf of the petitioner that the Post-Mortem Report is contradictory to allegations of the informant. The informant is the father of the deceased.
8. The Post-Mortem Report depicts that the victim had committed suicide by consuming poison, whereas the informant has alleged that the victim was assaulted by the petitioner and the other members of the family.
9. I have considered the submission that the petitioner is willing to appear before the learned trial Court and cooperate with the trial, but as she is apprehending arrest she has preferred this petition with prayer for anticipatory bail.
10. I have also considered the submissions at the Bar and perused the scanned copies of the Trial Court Record.

11. Considering all aspects and in view of my foregoing discussions, petition is allowed. In the event of her arrest, the petitioner shall be enlarged on bail of Rs. 50,000/-, with a suitable surety of the like amount to the satisfaction of the learned CJM, Dhubri, under the conditions that the petitioner shall appear before the learned CJM, Dhubri, within 7 (seven) days, failing which, bail order shall stand cancelled.

12. In terms of above, Anticipatory Bail Application stands disposed of.

**JUDGE**

**Comparing Assistant**