

GAHC010205122024



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

Case No. : Bail Appln./3014/2024

MONJUWARA BEGUM
W/O HUSSAIN ALI @ HUSSEN ALI, VILL- NO. 2 KANDHBARI, P.O.-
MERUATTARY, P.S.-MUKALMUA, DIST- NALBARI, ASSAM, PIN-781126

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A MANNAF, MD A S ALI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 08-10-2024

Heard Mr. A. Mannaf, learned counsel for the accused-petitioner. Also heard Mr. D. Das, learned Addl. P.P. for the State of Assam.

2. This is an application filed under Section 483 of the BNSS, 2023 praying for granting regular bail to the accused-petitioner, Monjuwara Begum, who was

arrested on 19.07.2024 in connection with Mukalmua P.S. Case No. 207/2024, registered under Sections 103(2)/238 of the BNS, 2023.

3. The instant bail application is being filed in connection with the aforesaid Mukalmua P.S. Case No. 207/2024 arising out of an FIR dated 18.07.2024 lodged by the informant, who is the husband of the petitioner, alleging that his daughter has been murdered by the accused-petitioner (wife) along with her family members.

4. Mr. Mannaf, learned counsel for the accused-petitioner submits that the victim has committed suicide and neither the accused-petitioner who is the mother of the victim nor her family members are held responsible for the alleged offence.

5. Mr. Das, learned Addl. P.P. fairly submits that on the basis of the materials available in the case diary with the statements recorded till date, it appears that the victim has committed suicide.

6. I have heard the submissions made at the Bar and I have perused the materials available on record.

7. It appears that as the investigation has been substantially progressed. Considering the fact that the accused-petitioner has been languishing in jail since last 82 days and she has been examined last on 19.07.2024, as such, further detention of the accused-petitioner may not be justified.

8. Considering the facts and circumstances of the case, it is provided that the accused-petitioner, named above, shall be released on bail in connection with the above noted case on furnishing bail bond of Rs.15,000/- (Rupees Fifteen

Thousand) only with one surety of like amount to the satisfaction of the learned CJM, Nalbari.

9. The bail granted to the accused-petitioner shall be subject to the following conditions :

- i) The accused-petitioner shall co-operate with the investigation,
- ii) The accused-petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case so as to dissuade such person from disclosing such facts to the Court or to any Police Officer; and
- iii) The accused-petitioner shall refrain from such activities with which she is alleged, failing which, bail orders shall stand cancelled.

10. With the above observation, this bail application stands allowed.

11. This disposes of the bail application.

12. Send back the case diary.

JUDGE

Comparing Assistant