GAHC010104672026

2026:GAU-AS:9164

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

Case No. : AB/1133/2026

FAYZUR RAHMAN AND 3 ORS.
S/O LATE MOHIR UDDIN,R/O VILL. DHARMASALA PART-IV, P.S. DIST.-DHUBRI, ASSAM.

2: FATEMA KHATUN
W/O LATE MOHIR UDDIN
R/O VILL. DHARMASALA PART-IV
P.S. DIST.- DHUBRI
ASSAM.

3: JAHIRUL ISLAM
S/O BOKTAR BEPARI
R/O VILL. DHARMASALA PART-IV
P.S. DIST.- DHUBRI
ASSAM

4: MORIOM BEGUM
W/O JAHIRUL ISLAM
R/O VILL. DHARMASALA PART-IV
P.S. DIST.- DHUBRI
ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : E HUSSAIN, MR. A RAHMAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 24-06-2026

Heard learned counsel Mr. A. Rahman for the petitioners, namely 1. Fayzur Rahman, 2. Fatema Khatun, 3. Jahirul Islam and 4. Moriom Begum, who have filed this application under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for pre-arrest bail as they are apprehending arrest in connection with Dhubri Police Station Case No. 163/2026 under Sections 61(2)/85/117(2)/109(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. Heard Ms. A. Begum, learned Additional Public Prosecutor for the respondent State.

3. Learned counsel for the petitioners has submitted that the victim attempted to commit suicide and she set herself ablaze.

4. *Per contra*, learned Additional Public Prosecutor has submitted that there are incriminating materials against all the petitioners in the Case Diary.

5. The allegation against the petitioners is that they have set ablaze the victim X, wife of the petitioner No. 1, but somehow, the neighbours could save the victim.

6. I have scrutinized the Case Diary. There are indeed incriminating materials in the Case Diary against the petitioners.

7. Considering the allegation against the petitioners, it is held that they are

not entitled to anticipatory bail at this stage of investigation.

8. Petition with prayer for anticipatory bail stands rejected.

9. Send back the Case Diary.

JUDGE

Comparing Assistant