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

Case No. : AB/1462/2026

SHAINI BRAHMA ALIAS SHAINI PAUL BRAHMA
WIFE OF LATE RAKESH BRAHMA VILLAGE MAIBONG NAGAR WARD NO 5
PS KOKRAJHAR DISTRICT KOKRAJHAR BTC ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : Binny das, S S AHMED,MR. A M AHMED,MR H R A CHOUDHURY

Advocate for the Respondent : PP, ASSAM, MS. L WANGSA(INFORMANT),MRS. R S DEURI(INFORMANT),MR. T DEURI(INFORMANT)

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 11.11.2026

Heard Mr. AM Ahmed, learned Counsel for the petitioner and Mr. KK Parasar, learned Additional Public Prosecutor for the State. Also heard Ms. RS Deuri, learned Counsel for the informant.

2. By this application, the petitioner has prayed for pre arrest bail in

connection with Kokrajhar PS Case No. 92/2026 registered under Section 123/109 of BNS, 2023. The FIR in connection with which the petitioner is apprehending arrest was lodged by the mother of the deceased stating inter alia that the petitioner who has married her son had killed her son by administering poison in his food. She further stated that her son's health condition deteriorated and during the time, when the ejahar was lodged, he was in a critical condition.

3. The learned Counsel for the petitioner submits that the deceased person in the earlier point of time had lodged ejahar against his own mother and brother, who is alleged to have tortured him and his wife. He further submits that the petitioner was enlarged on interim pre arrest bail on the condition that she should appear before the Investigating Officer for recording her statement and that she appeared but her statement was not recorded and after the order of this Court, calling for a report from the Investigating Officer as to why her statement was not recorded, her statement was recorded thereafter. He submits that the petitioner is cooperating with the investigation and that the interim order be made absolute.

4. On the other hand, Mr. KK Parasar, learned Additional Public Prosecutor for the State on perusal of the Case Diary submits that the victim had died due to poisoning and the FSL report also shows that the cause of death is poisoning. He further submits that the petitioner had herself admitted during her examination that she had administered poison to her husband. He also submits that one independent witness stated that he saw the petitioner quarreling with victim while he worked in their house.

5. Ms. RS Deuri, learned Counsel for the informant submits that the facts shows that the petitioner had administered poison in the food of the deceased

and that while the deceased was in the hospital, the petitioner is seen to have gone and met her Advocate.

6. Upon considerations of the submissions made by the learned Counsels for the parties, more so in view of the statement made by the petitioner herself that she had administered poison to the food of her husband and also due to the fact that there is a report of the Investigating Officer that the petitioner did not appear after the interim order, this Court does not deem it fit to enlarge the petitioner on pre arrest bail at this stage.

7. Petition is as such dismissed.

JUDGE

Comparing Assistant