GAHC010189212026

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

Case No. : AB/2119/2026

TANMOI BORAH
S/O TULESWAR BORAH, R/O DUBIMA JARANI, P.S.- GOHPUR, DIST- SONITPUR, ASSAM, PRESENTLY RESIDING AT ND- 24 PARUL SUITS, HOUSE NO. 44, DIST- KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR K BHUYAN, MS. A AKHTAR,MR. M U E BHUYAN,MR N ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 06.10.2026

Heard Mr. N. Islam, learned Counsel for the petitioner and Mr. DP Goswami, learned Additional Public Prosecutor for the State.

2. By this application, the petitioner has prayed for pre arrest bail in connection with Hatigaon Police Station Case No. 122/2026 registered under Sections 85/109/115(2) of BNS, 2023. The FIR in connection with which the petitioner is apprehending arrest was lodged on 25.06.2026 by his wife stating inter alia that after the marriage, the petitioner had severely tortured the informant for demand of money and property as well as dowry. The informant also stated that the petitioner has been maintaining illicit relationship with another woman, who frequently visits his place. It is also stated that on a particular day, the informant found clothing of another women and when she confronted him, the petitioner assaulted her severely. The informant also alleged that petitioner had throttled her neck and attempted to kill her.

3. The learned Counsel for the petitioner submits that the story narrated in the FIR is a concocted story although there can be some quarrel between husband and wife.

4. On the other hand, Mr. DP Goswami, learned Additional Public Prosecutor for the State on perusal of the Case Diary submits that there are witnesses, who had stated that the petitioner used to beat up his wife i.e. the informant. He had also stated that injury reports are there on the victim although simple in nature.

5. Upon considerations of the submissions made by the learned Counsels for

the parties, more so in view of the fact that the inquiry was also conducted before registering the case and prima facie case was found against the petitioner and also due to the fact that the allegations are very serious in nature, this Court does not deem it fit to enlarge the petitioner on pre arrest bail at this stage.

6. Petition is dismissed.

JUDGE

Comparing Assistant