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

Case No. : AB/2420/2026

SMTI MINA DEVI AND ANR
W/O-LATE MONESWAR CHOUHAN,

2: SMTI CHMAPA CHOUHAN
W/O-SRI MANIK CHOUHAN
BOTH ARE R/O-VILLAGE-KHANGKHLABARI
P.O. P.S.-UDALGURI
DISTRICT-UDALGURI
BTR
ASSAM
PIN-784509

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM.

Advocate for the Petitioner : MR. S CHAUHAN, B CHOWHAN,MR. P MAZUMDER

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 08.10.2026

Heard Mr. S. Chauhan, learned Counsel for the petitioners and Mr. DP Goswami, learned Additional Public Prosecutor for the State.

2. By this application, the petitioners have prayed for pre arrest bail in connection with Khairabari P.S. Case No. 07/2026 registered under Section 108 of BNS, 2023. The FIR in connection with which the petitioners are apprehending arrests was lodged by the father of the deceased stating inter alia that his son was married to the petitioner no. 1, who went to her parent's house and that when she did not return, his son went to his in laws house and returned after 10 days and on his return, he was apprised by his son that the family members of his wife did not allow their daughter to return to her matrimonial house. The informant further stated that his son out of frustration committed suicide.

3. The learned Counsel for the petitioners submits that the petitioners are the wife and mother in law of the deceased and that there are no ingredients of abatement in the said FIR. He further submits that father in law and brother in law of the deceased were already released on bail.

4. Mr. DP Goswami, learned Additional Public Prosecutor for the State on perusal of the Case Diary submits that materials are there in the form of statement of the complainant, who had stated that the victim was tortured by his in laws and that a suicide note is also there wherein it was stated that he was mentally tortured by the members of his in laws house.

5. Upon consideration of the submissions made by the learned Counsel for

the parties, more so, in view of the fact that to establish a charge of abatement, there has to be specific legal requirements beyond suspicion, this Court deems it fit to enlarge the petitioners on pre arrest bail on furnishing of bail bond of Rs. 20,000/- each with one local surety each of the like amount to the satisfaction of Arresting Authority under the following conditions:

i) the petitioners will appear before the Investigating Officer within 15 days from the date of the order.

ii) the petitioners will appear before the Investigating Officer thereafter as and when called for.

iii) the petitioners will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iii) the petitioners will not leave the place of jurisdiction without the permission of the Arresting Authority.

6. Petition is disposed of.

JUDGE

Comparing Assistant