GAHC010210962026

2026:GAU-AS:15279

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

Case No. : Bail Appln./2983/2026

SMTI LILAWATI DEVI CHAUHAN AND 4 ORS.
W/O SAT NARAYAN CHAUHAN R/O VILLAGE NO 2 NAWAIBIL P O LAMSAKHUNG P S KHERONI DISTRICT WEST KARBI ANGLONG ASSAM PIN 782446

2: SMTI ANITA DEVI @ ANITA DEVI CHAUHAN
W/O BIGEN CHAUHAN R/O VILLAGE NO 2 NAWAIBIL P O LAMSAKHUNG P S KHERONI DISTRICT WEST KARBI ANGLONG ASSAM PIN 782446

3: SMTI SONAMOTI DEVI @ SONAMOTI CHAUHAN
W/O SRI DIGIRI CHAUHAN R/O VILLAGE NO 2 NAWAIBIL P O LAMSAKHUNG P S KHERONI DISTRICT WEST KARBI ANGLONG ASSAM PIN 782446

4: SAT NARAYAN CHAUHAN
S/O LAL CHAND CHAUHAN R/O VILLAGE NO 2 NAWAIBIL P O LAMSAKHUNG P S KHERONI DISTRICT WEST KARBI ANGLONG ASSAM PIN 782446

5: LAL CHAND CHAUHAN
S/O LATE RAM NAGINA CHAUHAN R/O VILLAGE NO 2 NAWAIBIL P O LAMSAKHUNG P S KHERONI DISTRICT WEST KARBI ANGLONG ASSAM PIN 78244

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR M Z SHAH, S ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

09.10.2026

1. Heard Mr. M.Z. Shah, learned counsel appearing for the petitioners. Also heard Ms. S.H. Borah, learned APP appearing for the State of Assam assisted by Mr. R. Borah, learned counsel appearing for the informant.

2. By this application the petitioners have prayed for grant of bail in connection with Kheroni P.S. Case No. 36/2026 registered under Sections 103(1) read with Section 3(5) of the BNS, 2023.

3. The FIR in connection with which the petitioners were arrested on 03.09.2026 was lodged by the victim's brother, who stated *inter alia* that his younger sister who was married to accused No. 1 named in the FIR was allegedly subjected to torture by all the petitioners along with her husband over issues relating to food. It was further stated that on 31.08.2026 the informant's sister went missing from her matrimonial home and that her husband informed the informant about her disappearance over the telephone. Thereafter, the informant went in search of his sister however she could not be traced.

4. The learned counsel appearing for the petitioners submits that the dead body of the victim was recovered on 01.09.2026 from the bank of the Kapili River. It is further submitted that the petitioners are relatives of the victim from her matrimonial side and that no specific allegations have been made against them regarding their involvement in the alleged offence.

5. On the other hand, Ms. S.H. Borah, learned APP upon perusal of the case

diary submits that the inquest report records the presence of injuries on the body of the deceased. She further submits that the witnesses have stated that the petitioners had subjected the victim to torture soon after her marriage. Ms. Borah vehemently opposes the prayer for bail, contending that the contents of the stomach were sent to FSL and the cause of death have been kept pending in the post-mortem report.

6. Mr. R. Borah, learned counsel appearing for the informant also supports the submissions made by the learned APP. He has placed photographs of the victim before this Court which prima facie appear to indicate that the victim was subjected to torture prior to her death and that her body was thrown into the river.

7. Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that no specific overt act has been attributed to the petitioners either in the FIR or in the forwarding report and that no such allegations have been made in the statements of the witnesses except for the statement of the co-accused and further considering that the petitioners have been in custody since 03.09.2026, this Court deems it fit to enlarge the petitioners on bail. Accordingly, the petitioners shall be released on bail upon furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) each with one local surety each for a like amount to the satisfaction of the learned Chief Judicial Magistrate, West Karbi Anglong, Hamren subject to the following conditions:

(i) The petitioners shall not approach or contact the informant at any time, either directly or indirectly, and shall appear before the Investigating Officer or the trial court, as and when directed,

without fail,

(ii) The petitioners shall not hamper and tamper with the evidence of the case, and/or influence the witnesses; and

(iii) The petitioners shall not leave their place of residence without the prior permission of the Investigating Officer.

8. Accordingly, this Bail Application stands disposed of.

JUDGE

Comparing Assistant