GAHC010212852026

2026:GAU-AS:15063

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

Case No. : Bail Appln./2998/2026

LALBHANU
W/O JAHIDUL, VILLAGE KHABLARBHITHA, P.S. BARPETA, DISTRICT BARPETA, ASSAM

VERSUS

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

Advocate for the Petitioner : MR. R ALI, MISS. S PARBIN,MR H A AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 07.10.2026

Heard, Mr. H. A. Ahmed, the learned counsel for the petitioner and Mr. D. P. Goswami, the learned Addl. Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for bail in connection with Barpeta P.S. Case No. 346/2026, registered under Sections 140(1) and 103(1) of

BNS, 2023.

3. The FIR in connection with which the petitioner was arrested on 10.09.2026, was lodged by the father of the deceased stating *inter alia* that, on 08.09.2026, while his wife was sleeping with their 39 days old son, the son went missing, little thereafter from the house. The informant further stated that, when he was searching for the baby, his grandmother came to his house and informed that her son had seen the petitioner throwing a baby wrapped in old clothes into the pond and upon searching the pond the dead body of the baby was recovered. The learned counsel for the petitioner submits that, the petitioner has been inside the jail for quite some time and that, there is a land dispute going on between the petitioner and Samsul Haque, who was alleged to have seen the petitioner throwing the baby.

4. Mr. D. P. Gsowami, the learned APP for the State, on perusal of the case diary, submits that, said Samsul Haque had given statement that he had seen the petitioner carrying something wrapped in old cloth and throwing it in the pond and that, the dead body of the baby was found from the said pond. He also submits that the petitioner herself had admitted her guilt, which however, she stated that, she was not in a proper state of mind.

5. Upon consideration of the submissions made by the learned counsel, more particularly in view of the fact that the said Samsul Haque had stated that he had seen the petitioner carrying something and throwing it into the pond, without, however, stating that the object being carried and thrown was a baby, coupled with the fact that, the petitioner has already been inside the jail for some time, this Court enlarges the petitioner on bail on furnishing of a bail bond

of Rs. 20, 000/- (Rupees Twenty Thousand) with one local surety of the like amount to the satisfaction of the CJM, Barpeta under the following conditions:

(i) The petitioner shall positively appear before the Investigating Officer as and when call for.

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

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

6. The Bail Applications stands disposed of.

JUDGE

Comparing Assistant