GAHC010233532026

2026:GAU-AS:16348

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

Case No. : AB/2676/2026

REKIBUL ALI ALIAS MD REKIBUL ALI AND ANR
S/O MD KHALIL ALI, R/O LOWER MIRZAPUR, AZARA, SUB DIVISION GUWAHATI, KAMRUP M, PS AZARA, PIN 781017

2: PARBIN SULTANA
C/O MD KHALIL ALI
R/O LOWER MIRZAPUR
AZARA
SUB DIVISION GUWAHATI
KAMRUP M
PS AZARA
PIN 78101

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR MINTU SAIKIA, MR. C KOLITA,MS R DUTTA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 06.11.2026

Heard Mr. M. Saikia, learned counsel for the accused applicant. Also heard

Mr. M. P. Goswami, learned Additional Public Prosecutor appearing for the State of Assam.

2. This is an application under Section 482 of the BNSS, 2023 whereby the accused/applicants namely, **1. Rekibul Ali @ Md. Rakibul Ali and 2. Parbin Sultana** are seeking Anticipatory Bail apprehending arrest in connection with an FIR, which is registered as Azara Police Station case No. 128/2026 registered under Section 117(2)/103(1)/3(5) of BNS, 2023.

3. An FIR was lodged on 07.09.2026 to the effect before the Azara Police Station that his informant's wife, namely, Mina Begum went to her daughter's place in Azara and while going there one Faruk Ali along with his brother, friend and his mother-in-law ganged up and severally beaten his wife. After the incident, the informant's wife was admitted in GMCH on 07.09.2026. However, later on, his wife passed away in the GMCH.

4. On receipt of the FIR, the police registered the Azara Police Station case No. 128/2026 under the aforementioned sections.

5. An anticipatory bail application i.e. AB/2365/2026 was filed earlier by the accused/applicant had been rejected by this Court vide order dated 09.10.2026 after perusal of the case diary.

6. The learned counsel appearing for the accused/applicants submits that the death occurred due to certain poison but not because of any injuries alleged to have been caused by the accused/applicants. Therefore, he submits that the accused/applicants should be granted the privilege of pre-arrest bail.

7. Mr. M. P. Goswami, learned Additional Public Prosecutor appearing for the State of Assam, on the other hand, opposes the prayer of pre-arrest bail.

8. Case Diary of the instant case has been received and perused the same.

9. This Court has heard the submissions made by the learned counsel for the respective parties and also perused the materials that have been brought on record in the case diary.

10. On finding sufficient incriminating materials against the accused/applicants of their *prima facie* involvement in the instant case as well as taking into account the medical report in the instant case, this Court does not find any merit in the prayer for anticipatory bail and therefore, the instant anticipatory bail application is dismissed.

11. Accordingly, the instant anticipatory bail application is rejected and disposed of.

JUDGE

Comparing Assistant