GAHC010234322026

2026:GAU-AS:16983

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

Case No. : AB/2660/2026

MD ASMAT ALI AND 4 ORS.
S/O LATE FAIZ UDDIN, R/O JAMUGURI, PO ALITANGANI, PS JURIA, DIST NAGAON, ASSAM, PIN 782124

2: MD ABDUL KASHEM
S/O LATE FAIZ UDDIN
R/O JAMUGURI
PO ALITANGANI
PS JURIA
DIST NAGAON
ASSAM
PIN 782124

3: SHAZAHAN ALI
S/O MD ASMAT ALI
R/O JAMUGURI
PO ALITANGANI
PS JURIA
DIST NAGAON
ASSAM
PIN 782124

4: SHARIFA KHATUN
W/O MD ASMAT ALI
R/O JAMUGURI
PO ALITANGANI
PS JURIA
DIST NAGAON
ASSAM
PIN 782124

5: SHEAK NEWAS SHARIFUL ISLAM
S/O MD ASMAT ALI
R/O JAMUGURI

PO ALITANGANI
PS JURIA
DIST NAGAON
ASSAM
PIN 78212

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. M K HUSSAIN, MS. F ISLAM,MR. M ALOM,MS. F H AHMED,MRS. S Y AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 18.11.2026

Heard Mr. M. K. Hussain, 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. Asmat Ali, 2. Abdul Kashem, 3. Shazahan Ali, 4. Sharifa Khatun and 5. Sheik Newas Shariful Islam** are seeking Anticipatory Bail apprehending arrest in connection with an FIR, which is registered as Juria Police Station case No. 207/2026 registered under Sections 85/296/108/115 (2) of BNS, 2023 read with Sections 3/4 of Dowry Prohibition Act, 1961.

3. The prosecution story in brief is that an FIR was lodged before the Officer-

In-Charge of Juria Police Station by one Samsuddin a resident of Telia Bebejia Pathar on 29.08.2026 alleging that his niece, namely, Jesmin Sultana was married to the accused/applicant no.5 about 5 years ago by executing a Kabin Nama. However, immediately after their marriage, there were certain dowry demands from the accused/applicants and therefore, their conjugal life was disrupted. It was alleged that constantly she has been meted to dowry demand and they tortured her mentally and physically. It is alleged that on 24.08.2026, the accused/applicant, i.e., the husband demanded Rs.1,00,000/- (Rupees one lakh) only and thereafter, there was a fight occurred between them. It is alleged that after the incident, the accused persons tried to kill his niece and the said incident was informed to the family members of the informant. After the incident, the mother of the girl went to the girl's house and she came to know that the girl consumed poison. Thereafter, she was taken to Rahat Hospital, Nagaon and thereafter, she was referred to Guwahati for better treatment but after 5 (five) days, she expired.

4. On receipt of the FIR, the police registered Juria Police Station case No. 207/2026 under the aforementioned sections.

5. Mr. M. K. Hussain, the learned counsel appearing for the accused/applicants submits that a false case has been lodged against the accused/applicants and the accused/applicants have nothing to do with consumption of poison by the victim lady and thereafter, death of the victim lady. In view of the above, he submits that the accused/applicants should be considered for pre-arrest bail as the accused/applicants are willing to co-operate with the investigation.

6. 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 stating that there are sufficient incriminating materials against the accused/applicants.

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

8. 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.

9. On finding sufficient incriminating materials against the accused/applicants of their *prima facie* involvement of 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.

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

JUDGE

Comparing Assistant