GAHC010249462026

2026:GAU-AS:16932

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

Case No. : AB/2861/2026

RAHIMUDDIN AHMED AND ANR
S/O LATE RASTUM ALI R/O VILLAGE BATSOR, P.S. BELSOR, . BATSOR,
DISTRICT- NALBARI, PIN- 781303, ASSAM.

2: RUFIYA BEGUM
W/O MR. RAHIMUDDIN AHMED R/O VILLAGE BATSOR
P.S. BELSOR
P.O. BATSOR
DISTRICT- NALBARI
PIN- 781303
ASSAM

VERSUS

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

Advocate for the Petitioner : MS. RUKMINI BARUA, MD S ULLAH,MS. PADMINI BARUA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

17.11.2026

1. Heard Ms. P. Barua, learned counsel appearing for the petitioners. Also heard Mr. P. Borthakur, learned APP appearing for the State of Assam.

2. By this application the petitioners have prayed for pre-arrest bail in

connection with Belsor P.S. Case No. 105/2026 registered under Sections 3(5)/62/74/76/80(2)/85 of the BNS, 2023.

3. The FIR in connection with which the petitioners apprehend arrest was lodged by the father of the victim stating *inter alia* that his daughter was married to accused No. 2 as arrayed in the FIR and that petitioner No. 1 who is the father-in-law of his daughter had attempted to outrage her modesty during the night. It was further alleged that petitioner No. 2 being the mother-in-law of his daughter had subjected her to various forms of mental, physical and emotional torture and that dowry had also been demanded. It was further stated that on 28.09.2026 the informant took his daughter to the hospital where her condition subsequently deteriorated and she eventually succumbed to her ailments on 02.10.2026.

4. The learned counsel appearing for the petitioners submits that the petitioners are the father-in-law and mother-in-law of the victim and that both petitioner No. 1 and petitioner No. 2 are suffering from various ailments. She further submits that the allegations narrated in the FIR are concocted and that the victim died of natural causes.

5. On the other hand Mr. P. Borthakur, learned APP upon perusal of the case diary submits that although the report of the Gauhati Medical College and Hospital indicates that the victim died a natural death the post-mortem report is not available in the case diary. He submits that the actual cause of death would be revealed upon examination of the post-mortem report and accordingly prays for time to place the same before this Court for its consideration. He further submits that the relatives of the victim have stated that she was subjected to torture and that dowry had been demanded.

6. Upon consideration of the submissions made by the learned counsel for the parties, more so, in view of the fact that the hospital where the victim was admitted had categorically recorded the cause of death as diabetic ketoacidosis, this Court is of the view that the allegation that the victim's condition deteriorated on account of the physical torture allegedly meted out to her does not, at this stage find support from the medical records placed before the Court. Accordingly, this Court is inclined to grant the petitioners the privilege of pre-arrest bail. The petitioners shall be released on pre-arrest bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) each with one local surety each of a like amount to the satisfaction of the Arresting Authority subject to the following conditions:

(i) The petitioners shall positively appear before the Investigating Officer within a period of 15 days from today and cooperate with the investigation without fail,

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

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

7. Accordingly, this Anticipatory Bail Application stands disposed of.

JUDGE

Comparing Assistant