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

Case No. : AB/2979/2026

MIRA KALITA AND ANR
W/O. MALABYA KALITA, R/O. BIRPARA, P.S. BOKO, DIST. KAMRUP, ASSAM, PIN.781123.

2: MALABYA KALITA
S/O. LATE BOLORAM KALITA
R/O. BIRPARA
P.S. BOKO
DIST. KAMRUP
ASSAM
PIN.781123

VERSUS

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

Advocate for the Petitioner : MR. S B LASKAR, MS D DUTTA,MR. H A LASKAR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 20.11.2026

Heard Mr. S.B. Laskar, learned counsel appearing for the accused applicants.

Also heard Mr. K.K. Parasar, learned Additional Public Prosecutor appearing for the State.

2. This is an application filed under Section 482 of the BNSS, 2023 praying for granting pre-arrest bail to the accused applicants namely, 1. Mira Kalita & 2. Malabya Kalita, in connection with Boko P.S. Case No. FIR No. 378/2026 under Sections 85/108/3(5) of BNS, 2023 (Corresponding to GR Case No. 404(K)2026.

3. The gist of the allegation is that the informant lodged an FIR before the Boko Police Station on 02.11.2026 alleging that his elder daughter, who was married to accused No. 1 named in the FIR approximately 11 years ago, committed suicide by hanging due to harassment and mental torture.

4. It is alleged that all the persons named in the FIR are involved in the aforesaid offence.

5. On the basis of the FIR, the police registered Boko P.S. Case No. 378/2026 under the aforementioned Sections.

6. It is submitted that there is no specific allegation against the accused applicants in the FIR in the instant case. The learned counsel submits that the accused applicants are aged persons and are ready to cooperate with the investigation and, therefore, they should be granted anticipatory bail.

7. The learned Additional Public Prosecutor opposes the prayer for anticipatory bail and requests this Court to call for the case diary.

8. This Court has considered the materials available on record as well as the submissions made by the learned counsel for the respective parties.

9. Taking into account the entire facts and circumstances of the case, as well as the fact that the accused applicants are aged persons, this Court is of the considered opinion that the accused applicants should be granted pre-arrest bail.

10. Accordingly, it is directed that in the event of arrest of the accused applicants

named above in connection with the aforementioned case, they shall be released on pre-arrest bail on furnishing bail bond of Rs.30,000/- each with a surety of like nature to the satisfaction of the Arresting Authority subject to the following conditions:-

(i) the accused applicants shall appear before the Investigating Officer within 10 days from today;

(ii) the accused applicants shall cooperate with the investigation and make themselves available as and when called for;

(iii) the accused applicants shall not try to influence any of the witnesses that may be involved in the instant case or tamper or hamper with the investigation in whatsoever manner.

11. Anticipatory bail application is accordingly disposed of.

JUDGE

Comparing Assistant