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

Case No. : AB/3024/2026

SRI AMIYA ROY CHOWDHURY AND ANR
SON OF LATE KESHAB ROY CHOWDHURY, R/O- PRIVATE QUARTER, IN FRONT OF RLY. QTR. 38/D, REST CAMP MALIGAON, GUWAHATI, DIST. KAMRUPMETRO, ASSAM, PIN781012.

2: SMTI SOMA ROY CHOWDHURY
WIFE OF LATE KESHAB ROY CHOWDHURY
R/O- PRIVATE QUARTER
IN FRONT OF RLY. QTR. 38/D
REST CAMP MALIGAON
GUWAHATI
DIST. KAMRUPMETRO
ASSAM
PIN78101

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P., ASSAM

Advocate for the Petitioner : MR. S SUTRADHAR, MR. PRASANTA DEKA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 25.11.2026

Heard Mr. S. Sutradhar, learned counsel for the petitioner and Mr. M. P. Goswami, learned Addl. Public Prosecutor for the State of Assam.

2. By this application the petitioners have prayed for pre-arrest bail in connection Jalukbari P.S. Case No. 432/2026, registered under Sections 85/3(5) of BNS, 2023.

3. The FIR in connection with which the petitioner is apprehending arrest was lodged by the victim stating various allegations against the petitioners, the victim stated that 8 months ago she married petitioner no. 1 and that ever since, torture was inflicted upon her by the petitioners.

4. The learned counsel for the petitioner submits that petitioner no. 1 had filed a case for divorce before the Family Court and that the informant had lodged the FIR after the said case was filed and the notice was served upon her. He also stated that the petitioner no. 1 had informed the police station beforehand about certain actions of the informant.

5. On the other hand Mr. M. P. Goswami, learned Addl. Public Prosecutor for the State of Assam, submits that the allegations made in the FIR are very serious in nature and that a preliminary enquiry is also conducted before registration of the case.

6. Upon consideration of the submissions made by the learned counsels, more so in view of the fact that the present FIR was lodged by the informant only after receiving notice of the divorced application filed by her husband, i.e. petitioner no. 1 and also due to the fact that the petitioner had informed the police station beforehand about certain actions committed by the informant, this court enlarges the petitioners on pre-arrest 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 Arresting Authority under the following conditions:

(i) The petitioners will positively appear before the Arresting Authority within 15 days from passing of this order and co-operate with the investigation without fail.

(ii) The petitioners will not approach and/or influence any of the witness connected with the case; and

(iii) The petitioners shall not leave their residence without prior permission of the Arresting Authority.

7. The AB application stands disposed of.

JUDGE

Comparing Assistant