

GAHC010288162025



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

Case No. : AB/3045/2025

BABY ALIAS AKLIMA BIBI
W/O ABDUL MANNAN HOQUE,
D/O LT AJGAR ALI SK, R/O MADHUSOULMARI PT. II, P.S. GAURIPUR, DIST.
DHUBRI, ASSAM,
PIN 783331

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. SANU HUSSAIN, MR. K SEMA, MS P BARMAN, MR K THAKUR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE SHAMIMA JAHAN
ORDER

04/02/2026

Heard Mr. H R A Choudhury, learned Senior counsel assisted by Mr. S Hussain, learned counsel for the petitioner and Mr. N Das, learned Additional Public Prosecutor, Assam for the State respondent.

2. By this application filed under Section 482 of BNSS, 2023, the petitioner, namely, **Baby @ Aklima Bibi**, has sought for pre-arrest bail in connection with PRC/1182/2025 arising out of Gouripur Police Station Case No. 234/2025 registered under Sections 61(2)/103(1) of BNS, 2023, which is pending in the Court of learned Judicial Magistrate First Class-2, Dhubri.

3. The FIR dated 21.05.2025 lodged by the informant reveals that the petitioner along with others by pre-planning killed the husband of the informant at around 8:00 PM on the same day by way of sharp weapons.

4. Mr. H R A Choudhury, learned Senior counsel for the petitioner has submitted that the bail application of the petitioner was earlier cancelled, but charge-sheet has been submitted in the meantime and a prayer for bail has been renewed. He submits that the petitioner is the sister of the deceased and other accused persons are all brothers and cousins of the deceased and stated that facts were incorrectly narrated by the informant as there are family disputes between them and that the petitioner was not involved in assaulting her own brother much less killing him.

5. Ms. N Das, learned Additional Public Prosecutor, Assam, however, on perusal of the charge-sheet along with the statement of the witnesses has placed that the independent witnesses have stated that the petitioner accompanied by others had assaulted the deceased and later on dragged the deceased and killed him by using sharp weapons. As such, she submits that the petitioner is involved in killing of her own brother and no bail may be

granted to the petitioner.

6. I have heard the learned counsel for the parties and have also seen the records of the case.

7. It is noticed that the independent witnesses when they were coming from the market had seen the petitioner along with many others assaulting the victim and dragging the victim inside the house and killing him by using sharp weapons. The name of the petitioner was specifically stated by the said witnesses.

8. As such, this Court does not deem it fit to enlarge the petitioner on pre-arrest bail at this stage.

9. Accordingly, the pre-arrest bail application of the petitioner stands rejected and disposed of.

JUDGE

Comparing Assistant