

GAHC010001392026



2026:GAU-AS:2617

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

Case No. : AB/89/2026

MONIR ALI ALIAS MANIR ALI
S/O JAMAL ALI, R/O VILL NO 1 SANIADI SAKLARPAR, PO KHOPANI
KUCHI, PS HAJO, DIST KAMRUP (M), ASSAM, PIN 781102

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR K DAS, MR. S Ali

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 20.02.2026

- 1.** Heard Mr. K. Das, learned counsel for the accused applicant. Also heard Mr. R. J. Baruah, learned Additional Public Prosecutor for the State of Assam.
- 2.** This is an application under Section 483 of the Bharatiya Nagarik

Suraksha Sanhita, 2023 (BNSS), for granting the privilege of pre-arrest bail to the petitioner namely Monir Ali @ Manir Ali in connection with Hajo P.S Case No.504/2025 under Section 103 (1)/238/3(5) BNSS, 2023 in connection with Hajo P.S Case No. 504/2025 under Section 103(1)/238/3 (5) BNSS, 2023.

3. The allegation, as stated in the FIR dated 04.12.2025, is that one Jamal Ali, accused No. 3 in the FIR, had taken an amount of Rs. 5,00,000/- from the father of the informant about one year ago with a promise to sell a plot of land, but the same was not done. The informant's family of five members, including the father and mother, had been staying for the last one year in a house built on the land of the accused persons.

4. It was further alleged that accused No. 1, namely Ahmad Ali, had a love relationship with the complainant's minor sister, Sahida Khatun, who was about 17 years and 6 months old. It was alleged that on 02.12.2025, at about 11:00 P.M., accused No. 1 allegedly entered their house and, taking advantage of the father's ill health, made him unconscious by giving him a cigarette mixed with some substance. Thereafter, he allegedly killed the victim girl and attempted to portray the incident as a suicide by hanging the dead body.

5. It was also alleged that accused No. 1 intended to marry another woman, and that this was the reason for which the victim girl was killed by the

accused persons.

6. Mr. K. Das, learned counsel for the accused applicant, submits that the accused applicant is the brother of accused No. 1 and the son of accused No. 3. He further submits that the accused applicant does not reside in his parents' house but stays at a different place. However, merely because he is a family member, he has also been roped in, and his name has been mentioned in the FIR. He submits that he is in no way connected with the offence as alleged in the FIR and that he is willing to cooperate with the investigation.

7. Mr. R. J. Baruah, learned Additional Public Prosecutor for the State of Assam, however, opposes the grant of bail to the accused applicant at this stage. Taking into account the entire facts of the case, as well as upon perusal of the case diary, this Court is of the considered opinion that the accused applicant should be granted the privilege of pre-arrest bail at this stage. Accordingly, it is directed that, in the event of arrest of the accused applicant in connection with the instant case, he shall be released upon furnishing a bail bond of Rs. 30,000/- with one surety of like amount, to the satisfaction of the arresting authority, subject to the following conditions:

- i.** That the accused applicant shall appear before the Investigating Officer within a period of 10 days

of passing of this order.

ii. That the accused applicant shall cooperate with the investigation and shall not try to get in touch with the family members of the victim girl in whatsoever manner.

8. In view of the aforesaid directions, the instant AB application is disposed of.

JUDGE

Comparing Assistant