

GAHC010130422026



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

Case No. : AB/1448/2026

JANAB ALI
S/O. LATE KAPIL ALI, VILL- AND P.O. HABLAKHA, P.S. HAJO, DIST-
KAMRUP, ASSAM, PIN- 781102.

VERSUS

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

Advocate for the Petitioner : MR. W RAHMAN,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 28.07.2026

Heard Mr. W. Rahman, learned Counsel for the petitioner and Mr. B. Sharma, learned Additional Public Prosecutor for the State.

2. By this application, the petitioner has prayed for bail in connection with Hajo P.S. Case No. 198/2026 registered under Section 108 of the BNS, 2023. The FIR

on the basis of which the petitioner was made an accused person was lodged by the husband of the deceased on 21.05.2026 alleging that the petitioner had tried to develop love relationship with his wife and that on subsequent occasion when the informant was absent, at home the petitioner went to his house and forced his wife to have illicit sexual relationship. He further stated that his wife told him the aforesaid fact. He also stated that on 19.05.2026, the petitioner had abused the victim over telephone and at about 02:30 pm on the said day, when he came home, he saw his wife in a hanging position and that she was taken to the hospital but the doctor declared her as dead.

3. The learned Counsel for the petitioner submits that there are no ingredients of abatement in the instant case and that the only allegation against the petitioner is that he tried to have relationship with the wife of the informant.

4. On the other hand, Mr. B. Sharma, learned Additional Public Prosecutor for the State on perusal of the Case Diary submitted that there were number of phone calls on the date, when the victim committed suicide and the calls were made from either side. He also submitted that there are statement of the witnesses who had stated that petitioner and the wife of the informant had love relationship.

5. On considerations of the submissions made by the learned Counsels and on perusal of the Case Diary, this Court finds it fit to enlarge the petitioner on pre-arrest bail on furnishing of bail bond of Rs. 20,000/- with one local surety of the like amount to the satisfaction of the Arresting Authority under the following conditions:

i) the petitioner will appear before the Investigating Officer as and when call for.

ii) the petitioner will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iii) the petitioner will not leave the place of jurisdiction without the permission of the Arresting Authority.

6. Petition is disposed of.

JUDGE

Comparing Assistant