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

Case No. : AB/1462/2026

SHAINI BRAHMA ALIAS SHAINI PAUL BRAHMA
WIFE OF LATE RAKESH BRAHMA VILLAGE MAIBONG NAGAR WARD NO 5
PS KOKRAJHAR DISTRICT KOKRAJHAR BTC ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : Binny das, S S AHMED,MR. A M AHMED,MR H R A
CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 26.06.2026

Heard Mr. H.R.A. Choudhury, learned Senior counsel assisted by Mr. A.M. Ahmed, learned counsel for the petitioner. Also heard Mr. B. Sharma, learned Additional Public Prosecutor for the State.

2. This petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, whereby the petitioner, namely, **Shaini Brahma @ Shaini Paul Brahma**, has prayed for granting pre-arrest bail, apprehending arrest in connection with Kokrajhar P.S. Case No. 92/2026 under Section 123/109 of BNS, 2023.

3. The case arose out of an FIR dated 20.05.2026 lodged by the mother of the deceased who was married to the present accused/petitioner. The allegation in the FIR is that on 17.05.2026 in the night, the petitioner tried to kill the informant's son administering poison and as a result of which his health condition deteriorated and that he is undergoing treatment in Bongaigaon in critical condition.

4. It is submitted by the learned Senior counsel that the marriage was solemnized in 2012 itself and they have two children. The copy of the birth certificate has been annexed. As per the certificate from Health City Hospital, Guwahati, the deceased was admitted on 28.05.2026 and expired on 17.06.2026. The cause of death has been mentioned as lower respiratory tract infection with acute respiratory distress syndrome. There is no mention of any about finding of any toxic or poisonous aspect in the said certificate. It is submitted that earlier an FIR was lodged by the petitioner against three accused persons including the informant of this case and it is submitted in this context that after the death of the informant's son, the informant falsely implicated the petitioner with this allegation.

5. Call for the case diary of the concerned police station.

6. However, considering the entire aspects of the matter at this case and also the aspect of the one-year child of the petitioner, it is directed

that, in the interim, in the event of arrest of the accused-petitioner, named above, shall be released on **interim bail** in connection with Kokrajhar P.S. Case No. 92/2026 under Section 123/109 of BNS, 2023, on furnishing bail bond of **Rs.50,000/-** with one suitable surety each of the like amount to the satisfaction of the arresting authority.

7. The direction for bail is further subject to the condition(s) that the petitioner:

(a) shall render cooperation with the investigation and make herself available for examination; and

(b) shall not hamper and tamper with evidence.

8. Violation or breach of condition(s) shall entail cancellation of the bail.

9. List on 20.07.2026.

JUDGE

Comparing Assistant