

GAHC010209572025



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

Case No. : AB/2308/2025

RASHIDA BEGUM AND 2 ORS.
D/O SATTAR PARAMANIK
W/O SADDAM ALI
VILL- NO. 3 BHELAMARI
P.O. LAWPARA
P.S. MUKALMUA
DIST. NALBARI, ASSAM
PIN- 781126

2: LAILY BEGUM
D/O SATTAR PARAMANIK
W/O AMINUL ISLAM
VILL- NO. 3 BHELAMARI P.O. LAWPARA
P.S. MUKALMUADIST. NALBARI
ASSAM
PIN-781126.

3: SIRA BEGUM
D/O SAHED ALI
R/O SATGAON KABARSTAN
JURIPAR

SANTI PATH
P.O. PANJABARI
P.S. DISPUR

DIST. KAMRUP (METRO)
ASSAM
PIN--78103

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. A MOBARAQUE, MR. S P CHITTAWAT

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 24.09.2025

Heard the learned counsel Mr. M. P. Borthakur, for the three petitioners, namely, Rahids Begum, Laily Begum and Sira Begum, who are amongst the four persons named in the FIR dated 17.09.2024 and are seeking anticipatory bail in connection with Mukalmua P.S. Case No. 275/2024, under Section 61(2)/103(1) of the BNS.

- 2.** The allegation in the FIR lodged by informant Joshen Ali, is that the accused persons have been physically assaulting his daughter since last 12.09.2024 and later, it was informed by the accused persons to them that her daughter was lying dead in a pond located near informant's house.
- 3.** It was further alleged that he came to know that the accused persons killed his daughter in a pre-planned manner.
- 4.** The case diary is called for and has been received.

5. The investigation has progressed to some extent, but the same is not yet completed. The FSL report returned negative finding regarding poison. The P.M report so far is incomplete to the extent that the opinion regarding death has been kept pending. The two of the witnesses have stated about the girl facing torture at the hands of the accused petitioners.

6. The contentions of the petitioners side is that while going to answer the nature's call in the toilet, which was located near/over a pond, the victim might have fallen into the pond and succumbed to death.

7. As the opinion of the death is not available, it could not be ascertained as to whether it was a case of drowning of any kind. Interestingly in the PM report, it is mentioned in the column in the table containing to the external appearance that no wounds were detected and also in another column, it is mentioned that no ligature mark is present over the neck.

8. For proper adjudication of the bail, perusal of the opinion regarding death is deemed necessary; however, the same would take some time. Therefore, at this stage, it is directed that the petitioners in the event of their arrest in connection with this case are allowed to go on bail of Rs. 25,000/- (Rupees Twenty Five Thousand) each with the surety of the like amount each to the satisfaction of the arresting authority, subject to the following conditions :

(a) They shall cooperate with the remaining investigation and appear before the I.O. for examination;

(b) They shall not hamper and/or tamper with the evidence;

(C) They shall not intimidate or harass the informant and his family.

9. In the meantime, the case diary may be sent back and procured again, along with the opinion regarding cause of death and the P.M. Report

10. List the matter after vacation on 23.10.2025.

JUDGE

Comparing Assistant