

GAHC010219252026



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

Case No. : AB/2457/2026

IBRAHIM ALI AND ANR
SON OF LATE TAMIZUR RAHMAN, RESIDENT OF VILLAGE MANGALDAI
GAON, P O MANGALDAI, P S MANGALDAI, DISTRICT DARRANG, ASSAM

2: MD IFTIKHAR JAHAN IFTIKAR JAHAN
SON OF SHARAFAT ALI
RESIDENT OF DALGAON TOWN
P S DALGAON
DISTRICT DARRANG
ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR M HOQUE, MS. F YASMIN,MS J BEGUM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

01.10.2026

1. Heard Mr. T.J. Mahanta, learned senior counsel assisted by Mr. M. Hoque appearing for the petitioners. Also heard Mr. B. Sharma, learned APP appearing for

the State of Assam.

2. By this application the petitioners have prayed for pre-arrest bail in connection with Mangaldai P.S. Case No. 174 of 2026 registered under Sections 61(2)/107 of the BNS, 2023.

3. The FIR in connection with which the petitioners are apprehending arrest was lodged on 20.09.2026 by the stepmother of the victim stating *inter alia* that on 12.09.2026, the wife of petitioner No. 2 had called the informant and her daughter to her house. Upon their arrival, the wife of petitioner No. 2 allegedly scolded and humiliated the victim by making remarks concerning her character and threatened to defame her on social media which would result in her expulsion from school. It was further alleged that being unable to tolerate the humiliation the daughter of the informant committed suicide at around 9:30 p.m. on 12.09.2026. The FIR contains allegations not only against the wife of petitioner No. 2 but also against petitioner No. 2 being her husband and petitioner No. 1 being the owner of the house, alleging that they had in a pre-planned manner subjected the victim to mental harassment thereby compelling her to commit suicide.

4. Mr. B. Sharma, learned APP on the other hand submits that the allegations against the petitioners are writ large in the FIR. Accordingly, he prays for calling for the case diary and opposes the prayer for bail.

5. I have heard the learned counsel for all the parties and upon consideration of the submissions made, this Court finds that there are no specific allegations against the petitioners. It is also a settled position of law that in the absence of specific materials, a person cannot be implicated in an offence of abetment. Accordingly, the petitioners are hereby enlarged on pre-arrest bail on furnishing a bail bond of Rs. 20,000/- (Rupees twenty thousand) each with one local surety each of the like amount to the satisfaction of the Arresting Authority subject to the following

conditions:

(i) The petitioners shall positively appear before the Investigating Officer within a period of 15 days from today and corporate with the investigation without any failure,

(ii) The petitioners shall not hamper and tamper with the evidence of the case, and/or influence the witness connected with the case; and

(iii) The petitioners shall not leave their residence without prior permission of the Investigating Officer.

6. Accordingly, this Anticipatory Bail application is disposed of.

JUDGE

Comparing Assistant