

GAHC010054182024



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

Case No. : AB/953/2024

SONIARA BEGUM
D/O LATE SAMSUL HOQUE, R/O BAGHARBARI, GREEN LAND, 2ND BY-LANE, HOUSE NO. 41, P.S.-SATGAON, P.O.-PANJABARI, SIX MILE, DIST-KAMRUP (M), ASSAM, PIN CODE-781037

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A ALAM

Advocate for the Respondent : PP, ASSAM

**BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN**

ORDER

14.05.2024

Heard Mr. M. Alam, learned counsel for the applicant and also heard Ms. N. Das, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

2. Apprehending arrest in connection with Silchar P.S. Case No.650/2022 under Section 328/511 IPC, this application under Section 438 Cr.P.C. is preferred by the applicant, namely, Soniara Begum, for grant of pre-arrest bail.

3. It is to be noted here that the above-noted case has been registered on the basis of an FIR lodged by one Gulbahar Begum Mazumdar, on 11.03.2022. The essence of allegation made in the aforesaid FIR is that Soniara Begum Mazumdar is the daughter-in-law of the informant, who has been insisting her son to go to her parental home at Guwahati and stay there as their "Ghar Jamai". As she has opposed the said proposal of her daughter-in-law, she at 11:00 a.m. attempted to feed her rat killer by mixing the same with Roti.

4. Mr. Alam, learned counsel for the applicant submits that the applicant was granted the privilege of interim pre-arrest bail vide order dated 09.04.2024 and pursuant to the said order, she had appeared before the I.O. and cooperating with the investigating agency and therefore, a contention is being made to make the interim order dated 09.04.2024, absolute, in the same terms and conditions.

5. On the other hand, Ms. N. Das, learned Additional Public Prosecutor, Assam, submits that she has not received the case diary, but as per her instruction, the I.O. has completed investigation and returned the case in FR, being F.R. No.743, dated 30.04.2023.

6. As the I.O. has not found any *prima facie* case being made out and returned the case in FR, this anticipatory bail application becomes infructuous and accordingly, the same stands closed. Consequently, the privilege of interim pre-arrest bail, granted vide order dated 09.04.2024, stands recalled.

7. In terms of above, this anticipatory bail application stands disposed of.

Sd/- Robin Phukan
JUDGE

Comparing Assistant