

GAHC010011952024



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

**Case No. : Bail Appln./209/2024**

FAIZUDDIN  
S/O ABDUL RAHIM  
R/O BORBORI, WARD NO. 6, P.S. LAHARIGHAT  
DIST. MORIGAON, ASSAM

VERSUS

THE STATE OF ASSAM  
REP. BY THE PP, ASSAM

**Advocate for the Petitioner : MR S M ABDULLAH P**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

**ORDER**

**Date : 24-01-2024**

- 1.** Heard Mr. S.M. Abdullah P, learned counsel for the petitioner.
- 2.** The petitioner Faizuddin has filed this application under 439 of the Code of Criminal Procedure, 1973 with prayer for bail in connection with Laharighat P.S. Case No. 300/2023 registered u/s 419/420/466/468/471/473/474/34 of the Indian Penal Code, R/W Section

66(C)/66(D) of Information Technology Act. The petitioner has been behind bars since 14.12.2023.

**3.** Heard Mr. D.P. Goswami, learned Addl. PP, Assam.

**4.** I have considered the submissions at the Bar with circumspection. I have also perused the Case Diary.

**5.** The learned Addl. PP has submitted that there are incriminating materials in the Case Diary against the petitioner.

**6.** The FIR unfolds that the accused named in the FIR have been engaged in illegal activities of duping the citizens of this nation with false/forged documents and taking online loans from various entities by providing fake documents. The accused prepared fake, forged Pan Cards, Aadhar Cards, Birth Certificates, seals etc. and also obtained sim cards using those fake documents. They procured online loans from various entities and financial institutions by providing such fake/forged documents by posing as genuine persons to defraud the entities, by not returning the loans they have procured. On the intervening night of 12.12.2023 and 13.12.2023 the police party who received a tip off raided various places under the Laharighat P.S. area and searched the residences of the accused named in the FIR and found several Sim Cards, Pan Cards, Birth Certificates, seals and other incriminating items in their possession. Two of the culprits namely, Firdus Alom and Ashik Anowar managed to escape. The documents were used by the accused named in the FIR to procure loans and commit online fraud.

**7.** It is submitted on behalf of the petitioner that co-accused have already released on bail. The petitioner has prayed for bail on the ground of parity.

**8.** I have perused the Case Diary. Indeed there are incriminating materials in the Case Diary against the petitioner. I have considered the progress of investigation and the length of detention. At this juncture further custodial detention of the petitioner may not be required for the progress of investigation. The petitioner is a local resident and he is not a flight risk. I have considered the submission of the petitioner that he will abide by any bail condition, if imposed upon him.

**9.** Considering all aspects, petition is allowed. The petitioner is enlarged on bail on

furnishing a bail bond of Rs.30,000/- (Rupees Thirty Thousand) with a suitable surety of like amount to the satisfaction of the jurisdictional Court under the conditions that:-

- i. The petitioner shall not leave the jurisdiction of the Court without written permission till completion of the trial;
- ii. the petitioner shall not jump the bail; and
- iii. the petitioner shall refrain from such activities with which he is alleged.

On breach of any of the bail conditions, bail order shall stand cancelled.

Bail Application stands disposed of in the above terms.

Send back the Case Diary.

**JUDGE**

**Comparing Assistant**