

GAHC010152372024



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

Case No. : Bail Appln./2283/2024

ABDUL SELIM AND 2 ORS.
S/O INNACH ALI, R/O VILL- KURIHAMARIBARCHULIYA, P.S.-MUKALMUA,
DIST- NALBARI (ASSAM), PIN-781126

2: RAIJUDDIN AHMED
S/O MAFIJUDDIN
R/O GAOBURHA PAM
SILGURI
P.S.-HAJO
DIST- KAMRUP
ASSAM

3: HASEN ALI
S/O KUDDUCH ALI
R/O PANDITARPAM
SILGURI
P.S.-HAJO
DIST- KAMRUP
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR T N SRINIVASAN, MS S PARBIN, MR. N ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE

HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

16.08.2024

1. Heard Mr. T. N. Srinivasan learned counsel for the petitioners namely, (i) Abdul Selim, (ii) Raijuddin Ahmed, and (iii) Hasen Ali.
2. The petitioners have filed this application under Section 483 of the BNSS, 2023 with prayer for bail as they are behind bars since 20.07.2024 in connection with Cyber Police Station Case No. 18/2024 under Sections 111(2) (B)/303(2)/318(4)/319(2)/336(3)/304(2) of the BNS read with Sections 65/66/66(B)/66(C)/66(D) of the IT Act.
3. Heard Mr. B. B. Gogoi, learned Additional Public Prosecutor, Assam for the respondent State.
4. The brief facts of the case is that the petitioners have been involved in cybercrime.
5. Learned Additional Public Prosecutor has submitted that there are incriminating materials in the Case Diary against the petitioners.
6. I have scrutinized the Case Diary. Indeed there are incriminating materials in the Case Diary against the petitioners.
7. It is submitted on behalf of the petitioners that the petitioners are young lads and they have been behind bars since 20.07.2024. Investigation may have presumably progressed to a certain extent. The petitioners are willing to cooperate with the remaining part of the investigation.
8. Considering all aspects, petition is allowed. The petitioners shall be enlarged on bail on furnishing a bail bond of Rs.30,000/- each (Rupees Thirty Thousand)

with a suitable surety of like amount to the satisfaction of the learned CJM, Kamrup, (M) under the conditions that:

- (i) The petitioners shall refrain from such activities with which they are alleged,
- (ii) The petitioners shall appear before the Investigating Officer every fortnight till completion of investigation, and
- (iii) The petitioners shall not leave the jurisdiction of the Court without prior permission.

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

10. Send back the Case Diary.

JUDGE

Comparing Assistant