

GAHC010216102024



2024:GAU-AS:12262

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

Case No. : AB/2753/2024

PARAN ALI AND ANR
S/O JAMALUDDIN, VILL- NO. 2 DAKHIN RANGAPANI, P.S.-BOKO, DIST-
KAMRUP (ASSAM)

2: ASHRAFUL ISLAM
S/O HABIBAR RAHMAN
VILL- NO. 2 TUPAMARI
P.S.-NAGARBERA
DIST- KAMRUP
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. P J SAIKIA, SR. ADV, N. UDDIN, MS. P AHMED, MR. M I
HUSSAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

04-12-2024

Heard Mr. M. I. Hussain, learned counsel for the petitioners and Ms. N. Das, learned Additional Public Prosecutor, Assam for the State.

2. Apprehending their arrest, the petitioners, namely, **(1) Paran Ali**, son of Jamaluddin, resident of Village-No.2, Dakhin Rangapani, P.S.-Boko and **(2) Ashraful Islam**, son of Habibar Rahman, resident of Village-Tupamari, P.S.-Nagarbera, District- Kamrup have filed this application under Section 482 BNS seeking pre-arrest bail in **Boko P.S. Case No. 386/2024** corresponding to G.R No. 450(K)/2024 registered under Sections 61(2)/336(3)/340(2)/319(3)/318(4) of BNS, read with Section 66 of the IT Act.

3. Matter relates to commission of alleged financial fraud by the petitioners by collecting huge amount of money in the bank account from some other persons assuring them of huge profit. For such purpose and for wrongful gain, the petitioners uploaded the account details in their Telegram App Group to facilitate the antisocial persons for defrauding innocent persons and thereby the petitioners allegedly committed fraud and wrongfully gained huge amount of money from various investors/depositors.

4. During the course of enquiry, 4 mobile handsets of the petitioners have been recovered and those were seized by police.

5. The said information submitted by the In-Charge of Sontoli Outpost was registered as **Boko P.S. Case No. 386/2024** corresponding to G.R No. 450(K)/2024 registered under Sections 61(2)/336(3)/340(2)/319(3) /318(4) of BNS, read with Section 66 of the IT Act.

6. By order dated 08.10.2024, the Court granted interim bail to the petitioner, named above, in said **Boko P.S. Case No. 386/2024** and the concerned Investigating Officer of the case has recorded their statements.

7. From the case diary placed before the Court today, It is seen that investigation is still going on and further information regarding such collection of money in the bank accounts are

yet to be known.

8. From the case diary, it is also seen that the petitioners are co-operating with the investigation of said **Boko P.S. Case No. 386/2024**.

9. In view of the above, the interim pre-arrest bail granted to the petitioners on 08.10.2024 in said **Boko P.S. Case No. 386/2024** corresponding to G.R No. 450(K)/2024 registered under Sections 61(2)/336(3)/340(2)/319(3)/ 318(4) of BNS, read with Section 66 of the IT Act, is hereby made absolute, subject to the compliance of the terms and conditions as specified in the order dated 08.10.2024 and on compliance of the following conditions that the petitioners – **(i)** shall appear before the concerned Investigating Officer of said **Boko P.S. Case No. 386/2024** on every Monday during the office hours for the next 2 (two) English Calendar Months, commencing from 16.12.2024 or till the date of filing of the Charge-Sheet in said **Boko P.S. Case No. 386/2024**, whichever is earlier.

10. Any violation of the aforesaid terms and conditions as well as the terms and conditions as specified in the order dated 08.10.2024, noted above, by the petitioners, named above, the pre-arrest bail granted to them in the aforementioned **Boko P.S. Case No. 386/2024** **shall** stand automatically vacated.

11. This pre-arrest bail application accordingly stands disposed of.

12. Return the case diary herewith.

JUDGE

Comparing Assistant