

GAHC010217552024



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

Case No. : Bail Appln./3159/2024

MUJAMMAL HOQUE
S/O LT IDRISH ALI, R/O VILL- THALTHALI, P.S.-DALGAON, DIST-
DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR M AHMED, A. K. KANU

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

21-10-2024

Heard Mr. M Ahmed, learned counsel for the petitioner and Ms. S B Hazarika, learned Additional Public Prosecutor, Assam for the State.

2. By this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner, namely, **Mujammal Hoque**, son of Late Idrish Ali, resident of village-Thalthali, P.S.-Dalgaon, district-Darrang has prayed for his regular bail in connection with Dalgaon Police Station Case No. 190/2024 registered under Sections 406/420 IPC corresponding to G.R. No.

814/2024, in which he was arrested on 07.09.2024 and is in custody since then.

3. As per the petitioner, he is no way connected with any such illegal and fraudulent transactions of money and that he has been wrongly detained in custody since 07.09.2024, without being involved in any such criminal activities.

4. As per the FIR of the case, it is seen that one Sub-Inspector of Police, Dalgaon Police Station on 06.09.2024 lodged a written Ejahar before the Officer-in-Charge of Dalgaon Police Station stating that as per the letter of the Superintendent of Police, Darrang and the relevant documents annexed therewith, it revealed that from 01.03.2024 to 19.08.2024 large numbers of transactions occurred in the account No. 39324778995 that is in the name of the petitioner from various other accounts and that from the JMIS Portal, Darrang Cyber Cell one acknowledge report of online fraud against the account from Kamrup district of Assam was also found. The matter was investigated and the petitioner was found involved in the case and accordingly was apprehended on 07.09.2024 for committing financial fraud inflicting heavy financial loss to the citizen statewide/nationwide for his wrongful gain by opening/using current account through deceitful means.

5. Accordingly, Dalgaon P.S. Case No. 190/2024 corresponding to G.R. No. 814/2024 was registered against the petitioner under Sections 406/420 IPC on 06.09.2024 and he was taken into custody on 07.09.2024.

6. From perusal of the Case Diary placed before the Court today by Ms. S B Hazarika, learned APP, Assam, it is seen that the SP, Darrang, Mangaldai on 14.08.2024 informed the O.C. of Dalgaon Police Station pertaining to mule accounts on the basis of the letter that was received from the CID Headquarter, Guwahati and in the said list of the mule accounts, the bank account No. 39324778995 of SBI, Dalgaon Branch was particularly mentioned, in which huge financial transactions were done in a single day that relates to financial fraud and that 16 numbers of complaints have already been registered against the said bank account under SAMANVAYA-JMIS portal.

7. Though the petitioner stated that he is no way connected with any such fraudulent activities pertaining to transactions of money and that he is managing only his CSP (Customer Service Point) account, but Case Diary reveals that the JMIS (Joint Cybercrime Coordination

Team Management Information System) portal, Darrang Cybercrime Cell found huge numbers of transactions made in a single day during the period from 01.03.2024 to 19.08.2024 in the said bank account of the petitioner.

8. Case Diary also reveals that during the said period, on a single day, more than 149 transactions were made in the said bank account of the petitioner from unknown sources.

9. As the Case Diary reveals sufficient incriminating materials against the petitioner in committing financial fraud with the use of his said bank account of SBI, Dalgaon Branch in the mule account number, noted above, and as the investigation of the case is still in progress, the Court is of the view that the detention of the petitioner in custody since 07.09.2024 cannot be considered for his release on bail.

10. Accordingly, bail prayer of the petitioner, namely, **Mujammal Hoque**, in said Dalgaon Police Station Case No. 190/2024, stands rejected.

11. Return the Case Diary.

JUDGE

Comparing Assistant