

GAHC010221602024



2024:GAU-AS:11508

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

**Case No. : Bail Appln./3254/2024**

BAHARUL ISLAM LASKAR  
S/O MANTACHHIR ALI LASKAR  
VILL- SAIDPUR PT.IV,  
P.S. SILCHAR  
DIST. CACHAR, ASSAM

VERSUS

CBI  
REP. BY THE SPL, PP, CBI

**Advocate for the Petitioner** : MS. S G BARUAH, MR. B BORGOHAIN, MR B SAIKIA, MR. S  
NEOG

**Advocate for the Respondent** : SPL. PP, C.B.I., SPL. PP, C.B.I., SPL. PP, C.B.I.

**BEFORE**  
**HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**  
**ORDER**

**22.11.2024**

Heard learned counsel, Ms S G Baruah for the petitioner, Baharul Islam Laskar, who has filed this application under Section 483 of the BNSS, 2023, with prayer for bail as he is behind bars since 05.09.2024, in connection with Silchar PS Case No. 789/2024,

under Sections 406/420 of the IPC, read with Sections 21/22/23 of the Banning of Unregulated Deposit Schemes Act, 2019.

2. Heard learned Special Public Prosecutor, CBI, Mr M Haloi, for the respondent.

3. It is submitted on behalf of the petitioner that Annexure-3 of the petition, which is an appointment letter, clearly reflects that the petitioner shall be in close aid and shall take help of the Panchayat Committee. Thus, the petitioner was not at all aware that Singhanian Fintech Agribusiness Consortium Limited was a shell company. He was under the impression that the Company was a genuine company. From time to time, the Company made recruitments and there are several others involved in this case, but this Court has granted bail to the other co-accused.

4. The FIR unfolds that the informant was duped by Simi Saha into investing Rs. 2000/-, to procure a loan of Rs. 25,000/- in the aforementioned company. The complainant as well as other innocent customers were duped into investing in the Company in a similar manner and later, it came to light that the aforementioned company is a shell company.

5. Learned Special Public Prosecutor has raised serious objection stating that the petitioner was actively involved in duping the innocent customers to invest in the Company by promising to provide them loans. This is an economic offence and the petitioner is not entitled to bail. There are incriminating materials in the Case Diary against the petitioner.

5.1. It is submitted that if the petitioner is admitted to bail, investigation may be adversely affected. Economic offence is a class apart from other offences, as there is every possibility of interpolation of records and influencing the witnesses.

6. I have considered the submissions at the Bar with circumspection.

7. I have also scrutinized the Case Diary.

8. Indeed there are incriminating materials in the Case Diary against the petitioner.

9. Statements of several innocent customers have already been recorded under Section 161 CrPC. Investigation has progressed substantially.

10. It appears that further custodial detention may not be required for further progress of investigation.

11. Considering all aspects, the petitioner is enlarged on bail of Rs. 50,000/-, with a suitable surety of the like amount to the satisfaction of the jurisdictional Court under the conditions that-

i) the petitioner shall appear before the investigating agency on every fortnight and cooperate with the investigation,

ii) the petitioner shall refrain from such activities with which he is alleged, and

iii) the petitioner shall not tamper with the evidence or try to influence the witnesses.

11.1. On breach of any of the bail conditions, the jurisdictional Court is at liberty to immediately cancel the bail granted to the petitioner.

12. Bail Application stands disposed of.

13. Send back the Case Diary.

**JUDGE**

**Comparing Assistant**