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

Case No. : Bail Appln./2523/2026

MOGUL ALI ALIAS MAGBUL ALI
S/O SAMAN ALI, VILL- 1 NO. SOLMARI, P.S. HAJO, DIST. KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. R ALI, MISS. S PARBIN,MR H A AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 17.09.2026

Heard Mr. R. Ali, the learned counsel for the petitioner and Mr. B. Sarma, the learned Addl. Public Prosecutor for the State of Assam.

2. By this application, the petitioner has paid for bail in connection with Hajo P.S. Case No. 370 of 2026, registered under section 316(2), 336(3), 340(2)

as well as 3(5) of BNS 2023.

3. The FIR in connection with which the petitioner was arrested on 10.08.2026, was lodged by one Samiran Nessa on 26.07.2026, stating *inter alia* that the petitioner along with others had collected her Aadhar card, PAN card and voter card on assuring that they will get her name enrolled in a Government scheme. She further stated that the petitioner and others had also told her that money under the government scheme will be credited in her bank account on monthly basis but when no Government money was credited, she enquired and she came to know that the petitioner and others had opened fake bank account in her name and transacted money by fraudulent means. Learned counsel for the petitioner submits that the petitioner and others had helped the informant in opening the bank account and that the story narrated in the FIR that fake bank accounts were opened is a concocted story.

4. Mr. B. Sarma, the learned Addl. Public Prosecutor for the State, on the other hand, on perusal of the case diary had stated that the co-accused, namely Rejaul Haque had taken the help of the petitioner and his wife in committing the entire offence that has been narrated in the FIR. He further states that the petitioner was given 4,000 to 5,000 of rupees on opening of fake account in the name of the victims. He further had stated that many SIM cards were recovered from the petitioner and others by which OTPs are generated to facilitate unauthorized access and fraudulent withdrawal of money from bank accounts of the complainants and other victims.

5. On consideration of the submissions made by the learned counsels, more so in view of the fact that, the victims are cheated in the name of opening

bank account, this court does not deem it fit to enlarge the petitioner on bail at this stage.

6. The Petition is dismissed.

JUDGE

Comparing Assistant