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

Case No. : Bail Appln./2857/2026

SHAHIDA AHMED ALIAS SAHEDA BEGUM
W/O SANOWAR HUSSAIN
R/O NO. 3 TUPAMARI
P.S. NAGARBERA
DIST. KAMRUP
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP
ASSAM

Advocate for : MR. A PARAMANIK
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

06.10.2026

Heard Mr. A. Paramanik, learned counsel for the accused and Mr. P. Barthakur, learned Additional Public Prosecutor for the State respondent.

2. This application, under Section 483 of the BNSS, 2023, is preferred by the accused, namely, **Shahida Ahmed @ Saheda Begum**, who has been languishing in jail hajot since 14.09.2026, in connection with Nagarbera P.S. Case No. 62/2026, registered under Sections 317(2)/317(4)/318(4)/61(2) of the BNS, 2023, for grant of bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of one FIR lodged by one Champak Kalita, S.I. of Police, Tupamari Out Post, on 08.09.2026.

4. The essence of allegation, in the FIR, dated 08.09.2026, is that on that day, the informant has received credible information regarding involvement of certain persons in cyber fraud and operation of mule bank accounts for receiving and dealing with suspected proceeds of cyber fraud. Thereafter, a police team conducted search in the residential premises of the accused persons and during search in the house of Sahadat Alom Ahmed, the applicant herein, a substantial quantity of banking and financial documents, passbooks, cheque books, debit/credit cards, account-opening documents and other financial instruments were recovered and seized. And during search, the applicant was found absconding. And thereafter, residential premises of another accused, namely, Rafiqul Islam, was searched and he was also found absent and he could not be apprehended and is presently absconding.

5. Mr. Paramanik, learned counsel for the accused submits that the accused herein is the wife of one Sanowar Hussain, who has been absconding and having found him absconding, police arrested the present accused and that she is innocent and no-way involved with the offences alleged in the FIR; even

though, there are some allegations against her husband. He also submits that the accused is a woman and that she is behind the bars for the last 23 days and that she is ready to cooperate with the investigating agency and therefore, he has contended to allow this application.

6. Per contra, Mr. Barthakur, learned APP, has vehemently opposed the application, on the ground that the I.O. has recovered suspected crime proceeds, amounting to Rs. 93,08,200/-, and that at the relevant point of time, she was present at the place of recovery and she attempted to conceal the keys and also refused to produce the keys. He further submits that multiple ATM cards and Bank Passbooks, along with some gold ornaments and one vehicle were also recovered and seized by police, and under such circumstances, he has contended to dismiss this petition.

7. Having heard the submission of the learned counsel for both the parties, this Court has carefully gone through the petition and the documents placed on record.

8. It appears that the I.O. has collected some incriminating materials against the present applicant, who is the wife of one of the accused, namely, Sanowar Hussain, who has been absconding.

9. However, it also appears that the accused is a woman and she has been languishing in jail hajot for the last 23 days.

10. Considering the period of detention of the accused in jail hajot and the materials collected so far against her, and also considering the progress of the

investigation, this Court is of the view that further custodial detention of the accused seems to be unwarranted in the interest of investigation. And accordingly, this Court is inclined to allow this application.

11. It is provided that on furnishing a bond of Rs. 50,000/-, with one surety each of the like amount, to the satisfaction of the learned Judicial Magistrate First Class, Kamrup, the accused shall be enlarged on bail.

12. In terms of the above, this bail application stands disposed of.

JUDGE

Comparing Assistant