GAHC010216962026

2026:GAU-AS:15518

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

Case No. : AB/2487/2026

SRI HIMANGSHU KALITA
SON OF UDAY CHANDRA KALITA RESIDENT OF VILLAGE DAKSHIN REHABARI P.O. PUB REHABARI DISTRICT BAJALI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S BORA, MS J RAJKUMARI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 13.10.2026

Heard Mr. S. Bora, learned counsel appearing on behalf of the accused-applicant. Also heard Mr. M.P. Goswami, learned Addl. P.P., representing the State respondent.

2. This is an application filed under Section 482 of the BNSS, 2023, praying for

grant of pre-arrest bail to the accused-applicant in connection with Patacharkuchi P.S. Case No. 146/2026 (Corresponding to G.R. No. 251/2026, registered under Sections 318(4)/319/61(2)/3(5) of BNS, 2023, read with Sections 66(C)/66(D) of IT Act, 2000.

3. The FIR was lodged on 17.09.2026 before the Officer-in-Charge, Patacharkuchi Police Station, by one SI Kalpajyoti Deka, alleging that upon receipt of certain secret information to ascertain the allegations regarding cyber fraud and cyber offenses, an enquiry was conducted. It is alleged that during the course of the enquiry, it was revealed that the bank account number 5965288109, maintained with the Central Bank of India, Pathsala, Bajali Branch, is a joint account held by Mr. Balendra Dharmapani and Mr. Himangshu Kalita. On further enquiry, it was found that cheating, identity theft, and cheating by impersonation have been committed by the accused persons, and more than rupees 1 crore were received in the aforesaid bank account. It is also alleged that 22 complaints relating to cyber fraud, cheating, and impersonation have been registered against the aforementioned accused persons' bank account on the National Cyber Crime Reporting portal.

4. On receipt of the FIR, police registered Patacharkuchi P.S. Case No. 146/2026, under the aforesaid Sections.

5. The learned counsel for the accused-applicant submits that the accused-applicant is not involved in the instant case and, in fact, the account was opened by him along with the co-accused as the co-accused assured him of getting a loan from the aforesaid bank and he is totally ignorant of any transaction carried out in the aforesaid account.

6. The learned Addl. PP, on the other hand, opposes the prayer for the bail, stating that the investigation in the instant matter is still pending and the offense

involved is an organized crime involving many other accused persons.

7. This court has perused the Case Diary and finding no merit in the instant case, this instant anticipatory bail application is rejected.

JUDGE

Miriam Degu
(SPA)