GAHC010213602026

2026:GAU-AS:15106

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

Case No. : Bail Appln./3105/2026

SHAIKH ABU MASHUD AHMED ALIAS SK ABU MSHUD AHMED
S/O BAHARUL ISLAM
R/O TANGANMARI
P.S. BOKO
DISTRICT 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

07.10.2026

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

2. This application, under Section 483 of the BNSS, is preferred by accused, namely, **Shaikh Abu Mashud Ahmed @ Sk Abu Mshud Ahmed**, who has

been languishing in jail hazot, since 22.09.2026, in connection with Nagarbera PS Case No. 62/2026, under Sections 317(2)/317(4)/318(4)/61(2) of the BNS, for grant of bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of an FIR lodged by SI Champak Kalita, on 09.09.2026.

3.1. The essence of allegation in the FIR, dated 09.09.2026, is that acting on a tip off, regarding cyber fraud and operation of mule bank accounts, the informant and his staff had conducted a search at the residential premises of one Sahadat Alom Ahmed and during the search, a substantial quantity of banking and financial documents, passbooks, debit cards, credit cards and account opening documents, relating to different persons were recovered and seized. Thereafter, another search was conducted at the residential premises of one Rafiqul Islam and during the search of his premises, several articles like passbooks, pan cards, aadhar card, debit cards, credit cards and account opening documents, mobile phones and vehicles were seized.

4. Mr. Paramanik, learned counsel for the accused submits that the present accused was arrested on 22.09.2026 and since then he has been languishing in jail hazot and that he is innocent and no way involved with the offence alleged in the FIR and that he is ready to cooperate with the investigating agency and therefore, it is contended to allow this petition.

5. Per-contra, Mr. Borthakur, learned Additional Public Prosecutor, has produced the case diary before this Court and submits that the IO has collected sufficient incriminating materials against the present accused. Mr. Borthakur further submits that the financial transactions made by the present accused are yet to be verified and as such, his custodial detention is warranted in the

interest of investigation and therefore, he has contended to dismiss the petition.

6. Having heard the submission of learned counsel for both the parties, this Court has carefully gone through the petition as well as the documents placed on record and also perused the case diary with the assistance of learned Additional Public Prosecutor.

7. It appears that the present accused was arrested on 22.09.2026 and since then he has been languishing in jail hazot for last 15 days. Further, it appears that the IO has collected sufficient incriminating materials against the present accused and during the search of his house premises, multiple Cheque Books, Passbooks, ATM Cards and Debit Cards, relating to different banks were recovered and operation as well as use of the said items is yet to be verified. It also appears that the investigation is still going on and complete financial trail is to be established and co-accused are yet to be arrested.

8. In view of above, this Court is of the view that if the present accused is enlarged on bail at this stage, it would cause serious prejudice to the investigating agency and therefore, this petition stands dismissed.

9. Case diary be returned.

JUDGE

Comparing Assistant