GAHC010220762026

2026:GAU-AS:14945

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

Case No. : AB/2476/2026

RAMISH RAJA AHMED AND ANR
S/O DIL MAHAMMAD ALI, VILLAGE GHILABARI, P O DAMALCHOS, P S BOKO, DISTRICT KAMRUP RURAL, ASSAM

2: BABIDUL ALI
S/O HARESH ALI
VILLAGE GHILABARI
P O DAMALCHOS
P S BOKO
DISTRICT KAMRUP RURAL
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR F HAQUE, MR A ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 06.10.2026

Heard Mr. F. Haque, the learned counsel for the petitioners and Mr. D. P. Goswami, the learned Addl. Public Prosecutor for the State of Assam.

2. By this application, the petitioners have prayed for pre-arrest bail in connection with Goalpara Police Station Case No. 159/2026, registered under Sections 318(4), 319(2), 336(3), 340(2), 61(2) as well as 3(5) of the BNS, 2023.

3. The FIR, in connection with which the petitioners apprehend arrest, was lodged on 25.08.2026 by the police personnel of Goalpara Police Station, stating, inter alia, that, pursuant to information received from the Senior Superintendent of Police, the informant, along with other staff members, conducted an enquiry into the data furnished by the Department of Telecommunications in respect of Goalpara District. Upon conclusion of the enquiry, it was allegedly found that several persons operating Point of Sale (PoS) stores were issuing SIM cards to various persons, which were subsequently found to be connected with cyber fraud and/or bank fraud.

4. The learned counsel for the petitioner submits that, the petitioners were not named in the FIR and that, a notice under 35(3) was issued to them but since they received it late, they could not appear on the date mentioned there in.

5. Mr. D. P. Goswami, the learned APP for the State, on the other hand states that, the allegation narrated in the FIR disclosed an organized crime and as such, he prays for calling of the Case Diary to see the complicity of the petitioners.

6. Upon consideration of the submissions made by the learned counsel, more so in view of the fact that notice under 35(3) was issued to the petitioners, this Court enlarges the petitioners on pre-arrest bail on furnishing of a bail bond of

Rs. 20,000/- (Rupees Thousand) each with one local surety each of the like amount to the satisfaction of the Arresting Authority under the following conditions:

i) The petitioner shall appear before the IO within 10 days from the date of the order and thereafter as and when call for.

(ii) The petitioners shall not hamper and tamper with the evidence of the case, and/or influence the witness connected with the alleged case; and

(iii) The petitioners shall not leave their residence without prior permission of the Arresting Authority.

7. The AB Application stands disposed of.

JUDGE

Comparing Assistant