GAHC010223142026

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

Case No. : Bail Appln./3159/2026

RUHUL AMIN AND 6 ORS.
S/O NIZAM ALI, VILLAGE HARIPUR KARAIKHUWA, P S BAGUAN,
DISTRICT GOALPARA, ASSAM.

2: ASHOKOR ALI @ ASKAR ALI
S/O NIDAN ALI
VILL- HARIPUR KARAIKHUWA
P.S. BAGUAN DIST. GOALPARA
ASSAM

3: SHAH ALOM
S/O AYNAL HOQUE
VILL- KHARMUZA
P.S. GOALPARA
DIST. GOALPARA
ASSAM

4: ASANUL ALI
S/O SEKENDER ALI
VILL- TUKURA PART-III
P.S. AGIA
DIST. GOALPARA
ASSAM

5: RAJIB ALI
S/O ATAB UDDIN ALI
VILL- TUKURA PART-III

P.S. AGIA
DIST. GOALPARA
ASSAM

6: AZIZUR RAHMAN
S/O BAHAR ALI

VILL- GOBINDAPUR
P.S. GOALPARA
DIST. GOALPARA
ASSAM.

7: BOSER ALI
S/O ENNUS ALI
VILL-GOSSAIDUBI HINDUPARA
P.S. LAKHIPUR
DIST. GOALPARA
ASSAM

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, learned Counsel for the petitioners and Mr. RJ Baruah, learned Additional Public Prosecutor for the State.

2. By this application, the petitioners have prayed for bail in connection with Goalpara P.S. Case No. 159/2026 registered under Sections 318(4)/319(2)/336(3)/340(2)/61(2)/3(5) of BNS, 2023. The FIR in connection with which the petitioners were arrested was lodged by the police personnel of Goalpara Police Station stating inter alia that on an information received from the Senior Superintendent of Police, Goalpara, an inquiry was conducted into the data furnished by the Department of Telecom for Goalpara district and it

was found out that the point of sale agents had issued sims to the customers and those were used in various offences.

3. The learned Counsel for the petitioners submits that the petitioners are engaged in point of sale and have stores with regard to the same but they are not involved in the said offence, in view of the fact that they received application and sent it to the company who issues and activates the sims and finally they were given to the customers.

4. On the other hand, Mr. RJ Baruah, learned Additional Public Prosecutor for the State submits that the police during investigation had found out that all the petitioners who were running point of sale stores were involved in the cyber fraud or in bank fraud and as such, he prays for calling of the Case Diary.

5. Upon consideration of the submissions made by the learned Counsel for the parties, more so, in view of the fact that the only allegations leveled against the petitioners in the forwarding report is that they had issued sims from their counter to various persons, which are linked with cyber crime or bank fraud without however stating that they are themselves involved in it and also due to the fact that the petitioners were inside the jail for the last 41 days, this Court deems it fit to enlarge the petitioners on bail on furnishing of bail bond of Rs. 20,000/- each with one local surety each of the like amount to the satisfaction of CJM, Goalpara under the following conditions:

i) the petitioners will appear before the Investigating Officer as and when called for.

ii) the petitioners will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iii) the petitioners will not leave the place of jurisdiction without the permission of the concerned Court.

6. Petition is disposed of.

JUDGE

Comparing Assistant