GAHC010223942026

2026:GAU-AS:15049

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

Case No. : Bail Appln./3179/2026

JAHURUL ISLAM
S/O AHED ALI, R/O VILL TIPLAI PT III, BARPATHAR, PO TIPLAI, PS RANGJULI, DIST GOALPARA, ASSAM, PIN 783130

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. M K HUSSAIN, MS. F ISLAM,MR. M ALOM,MS. F H AHMED,MRS. S Y AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

07.10.2026

1. Heard Mr. M.K. Hussain, learned counsel appearing for the petitioner. Also heard Mr. R.J. Baruah, learned APP appearing for the State of Assam.

2. By this application the petitioner has prayed for bail in connection with Goalpara PS Case No. 159 of 2026 registered under Sections

319(2)/318(4)/336(3)/340(2)/61(2)/3(5) of the BNS, 2023.

3. The FIR in connection with which the petitioner was arrested on 27.08.2026 was lodged by the police personnel of Goalpara Police Station stating *inter alia* that the petitioner who runs a Point of Sale (POS) store namely, Jahurul Store, was found to be issuing SIM cards to customers whose SIM cards were allegedly being used in connection with cyber fraud as well as bank fraud.

4. The learned counsel appearing for the petitioner submits that the petitioner is in no way connected with the offence alleged in the said FIR, as he merely collects the requisite applications from the customers and forwards the same to the company which thereafter activates and issues the SIM cards to him and he in turn hands over the SIM cards to the respective customers.

5. Mr. R.J. Baruah, learned APP on the other hand submits that the allegations narrated in the FIR disclose the commission of an organized crime and as such he prays for calling for the case diary.

6. Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that the FIR does not state that the petitioner by issuing the SIM cards to the customers was in any manner involved in the commission of cyber crime or bank fraud, this Court is of the view that the petitioner may be enlarged on bail. Accordingly, the petitioner shall be released on bail on furnishing a bail bond of Rs. 20,000/- (Rupees twenty thousand) with one local surety of the like amount to the satisfaction of the learned CJM, Goalpara subject to the following conditions:

(i) The petitioner shall appear before the Investigating Officer as

and when called for,

(ii) The petitioner shall not hamper and tamper with the evidence of the case, and/or influence the witnesses; and

(iii) The petitioner shall not leave his place of residence without the prior permission of the Investigating Officer.

7. Accordingly, this Bail Application stands disposed of.

JUDGE

Comparing Assistant