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2026:GAU-AS:15050

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

Case No. : Bail Appln./3185/2026

AMIRUL ISLAM ALIAS AMINUR ISLAM AND ANR
S/O BAKKAR MONDAL, R/O NEYAPARA, P.S. MATIA, DISTRICT-GOALPARA, ASSAM

2: BIKI RAY ALIAS BIKI ROY
S/O MONTU RAY
R/O AMBUK PART-III
P.S. DHUPDHARA
DISTRICTGOALPARA
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR.

Advocate for the Petitioner : MR S HOQUE, S ALOM,MR. S HUSSAIN,MR. A. HAQUE

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

07.10.2026

1. Heard Mr. A. Haque, learned counsel appearing for the petitioners. Also heard Mr. R.J. Baruah, learned APP appearing for the State of Assam.

2. By this application the petitioners have 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 petitioners were arrested on 26.08.2026 was lodged by the police personnel of Goalpara Police Station stating *inter alia* that petitioner No. 1 had a Point of Sale (POS) store and had issued SIM cards in large numbers to customers which were subsequently found to be connected with cyber crime or financial fraud. Further, during the course of investigation petitioner No. 2 was arrested on the basis of a similar allegation.

4. The learned counsel appearing for the petitioners submits that the petitioners have no connection with the cyber crime or financial fraud inasmuch as according to him the petitioners merely collect the requisite applications from the customers and forward the same to the companies which activates and issues the SIM cards which are thereafter handed over to the respective customers.

5. Mr. R.J. Baruah, learned APP on the other hand submits that the allegations made in the FIR and the manner in which the persons have been arrested disclose an organized crime involving cyber fraud and financial fraud. As such, he prays that the case diary be called for and perused to ascertain the complicity of the present petitioners.

6. Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that the activation of the SIM cards is not within the control of the petitioners, this Court is of the view that the petitioners

may be enlarged on bail. Accordingly, the petitioners shall be released on bail on furnishing a bail bond of Rs. 20,000/- (Rupees twenty thousand) each with one local surety of the like amount each to the satisfaction of the learned CJM, Goalpara subject to the following conditions:

(i) The petitioners shall appear before the Investigating Officer as and when called for,

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

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

7. Accordingly, this Bail Application stands disposed of.

JUDGE

Comparing Assistant