GAHC010224422026

2026:GAU-AS:16637

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

Case No. : Bail Appln./3286/2026

DHRUBAJYOTI BHUYAN
S/O PRASANTA BHUYAN R/O BHETAPARA, P.S.- HATIGAON, PIN- 781028
DISTRICT- KAMRUP (M) ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. N D BHUYAN, L BANIK,P K BARUAH,MR. A. M. SIDDIQUE,MR S DUSAD,MR P D BHUYAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 11.11.2026

Heard Mr. N.D. Bhuyan, learned counsel for the accused. Also heard Mr. R.J. Baruah, learned Additional Public Prosecutor for the State respondent.

2. This application, under Section 483 of the BNSS, is preferred by

accused, namely, **Dhrubajyoti Bhuyan,** who has been languishing in jail hazot, since 27.09.2026, in connection with Nagarbera P.S. 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, aadhaar card, debit cards, credit cards and account opening documents, mobile phones and vehicles were seized.

4. Mr. Bhuyan, learned counsel for the accused, submits that the accused person was arrested on 27.09.2026, and since then, he has been languishing in jail hazot for last 46 days, and nothing has been recovered from his possession, and he is innocent and is ready to cooperate with the investigating agency, and therefore, Mr. Bhuyan has contended to allow this petition.

5. Per contra, Mr. Baruah, learned Additional Public Prosecutor, has opposed the petition. By referring to the materials collected so far in the case diary, Mr. Baruah submits that investigation is going on and some of the co-accused are absconding, and if the accused person is enlarged on bail at this stage, it will misdirect the investigation, and therefore he has contended to dismiss the petition.

6. Having heard the submissions of learned Advocates of both sides, this Court has carefully gone through the petition and the documents placed on record and also perused the case diary with the assistance of Mr. Baruah, learned Additional Public Prosecutor.

7. The case diary indicates that the I.O. has collected some incriminating materials against the present accused, but it appears that he was arrested on 27.09.2026, and the I.O. has already collected relevant materials, qua the present accused.

8. In view of the period of detention and in view of the progress of the investigation, qua the present accused, and further, in view of the fact that nothing has been recovered from the possession of the present accused, this Court is of the view that further custodial detention of the present accused seems to be unwarranted in the interest of investigation, and accordingly, this Court is inclined to allow the petition.

9. It is provided that on furnishing a bond of Rs. 25000/- with one surety of like amount to the satisfaction of the learned Judicial Magistrate First Class, Boko, the accused be enlarged on bail.

10. In terms of above this bail application stands disposed of. The case diary be returned.

JUDGE

Comparing Assistant