GAHC010227742026

2026:GAU-AS:17102

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

Case No. : AB/2601/2026

MONIRUL ISLAM
S/O- SAYEDUR RAHMAN R/O-VILL- KAUPATI, P.O- SILBORI, DIST.- DARRANG ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR M AHMED, MR D TALUKDAR,MR. S M MUNIR,MR. K MOHAMMED,MR P CHOUDHURY,MR. M I B MALIK,N. CHOUDHURY,MR A. ALI,A. K. KANU

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 19.11.2026

Heard Mr. A. K. Talukdar, learned senior counsel assisted by Mr. K. Mohammed, learned counsel for the petitioner and Ms. S. H. Borah, learned Addl. Public Prosecutor for the State of Assam.

2. By this application, the petitioner has prayed for pre-arrest bail in

connection with Rowta P.S. Case No. 68/2026, registered under Sections 61(2)/112(2)/121(1)/317(2)/318(4) of BNS, 2023.

3. The FIR in connection with which the petitioner is apprehending arrest was by the police personnel stating *inter alia* that on an information that cyber fraud activities are being carried out led an ambush and apprehended one, Safiqul Islam and that, the said Safiqul Islam had taken the name of the petitioner that he is also involved in the said offence.

4. The learned counsel for the petitioner submits that, the name of the petitioner was taken only by the co-accused without there being any substantiating materials to support the prosecution story.

5. On the other hand, Ms. S. H. Borah, learned Additional Public Prosecutor for the State, upon perusal of the case diary, submits that the petitioner has been named by the co-accused, namely, Safiqul Islam. She further submits that, as reflected in the statements of the witnesses, the petitioner was involved in collecting SIM cards and other articles allegedly used in the commission of the offence.

6. Upon consideration of the submissions made by the learned counsels, more so in view of the fact that, no specific allegation is made against the present petitioner and also due to the fact that he is implicated in the offence only on the statement of the co-accused, this court enlarges the petitioner on pre-arrest bail.

7. Mr. Talukdar, learned counsel for the petitioner, submits that the petitioner was enlarged on pre-arrest bail and in compliance of the directions he appeared

before the Investigating Officer and his statement was recorded.

8. As such, the order dated 16.10.2026, is made absolute with the further directions that the petitioner should follow the directions already mentioned in the said order.

9. The AB application stands disposed of.

JUDGE

Comparing Assistant