GAHC010228412026

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

Case No. : AB/2604/2026

MD SAKIL MOSTOQUE
SO MD ABDUL HAMID, RO VILL KHANDIKAR, PO DHEPARA GAON,
GORESWAR, KAMRUP, RANGIA, ASSAM, DIST KAMRUP, ASSAM

VERSUS

THE UNION OF INDIA AND 3 ORS.
REPRESENTED BY THE SECRETARY, HOME, PIN 110001

2:THE COMMISSIONER OF POLICE
NCT
DELHI
PIN 110001

3:THE STATE OF ASSAM
REPRESENTED BY THE PP
ASSAM

4:THE INVESTIGATING OFFICER
CYBER POLICE STATION
SOUTH EAST DISTRICT
NEW DELH

Advocate for the Petitioner : MR. S S S RAHMAN, MR. S S A RAHMAN

Advocate for the Respondent : DY.S.G.I.,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 12.10.2026

Heard Mr. SSS Rahman, learned Counsel for the petitioner and Mr. DP Goswami, learned Additional Public Prosecutor for the State. Also heard Ms. L. Devi, learned CGC.

2. By this application, the petitioner has prayed for allowing the petitioner to be enlarged on transit anticipatory bail in connection with the FIR No. 536/2026 dated 14.09.2026 registered under Section 318(4)/319/340 of BNS, 2023 before the Cyber Police Station, South East District, New Delhi. The petitioner states that the petitioner has a saving bank account in the Axis Bank and that an amount of Rs. 60,123/- was credited to his account and on the same day, the said amount was withdrawn by one Rafikul Islam and that again an amount of Rs. 90,000/- was credited and that was again withdrawn by the same person and this has been repeated on a number of occasions.

3. The learned Counsel for the petitioner submits that he is not aware as to why money was deposited in his account and on what authority Mr. Rafikul Islam has withdrawn the said money. He, however, submits that he will appear before the Police. The petitioner had also stated that he received the notice under Section 35(3) of the BNSS, 2023 issued by the Investigating Officer, Cyber Police Station, South East District, New Delhi in connection with the said FIR, directing him to appear on 05th October, 2026 but he submits that he is a resident of the State of Assam, more particularly in the District of Rangia and that he is working at Itanagar in Arunachal Pradesh as a manual worker.

4. Ms. L. Devi, learned CGC, submits that he be granted transit anticipatory

bail only for a limited period not more than 20 days and with a direction that he should go and appear before the competent authority.

5. In the above facts and circumstances of the case, this Court deems it fit to enlarge the petitioner on transit anticipatory bail for a period from the date of the order within which the petitioner should go and appear before the police personnel of Cyber Police Station, South East District, New Delhi.

6. As such, the petitioner is granted interim protection from arrest for the period of 20 days so as to enable the petitioner to approach the competent Court at New Delhi, with necessary application.

7. The petitioner is directed to be released on transit anticipatory bail on execution of personal bond of Rs. 20,000/- with one surety of the like amount to the satisfaction of the arresting authority.

8. Petition is disposed of.

JUDGE

Comparing Assistant