GAHC010229842026

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

Case No. : Bail Appln./3328/2026

NURMAHAMMAD ALI AND ANR
SON OF MAJAM ALI, VILLAGE TIPLAI PART III BARPATHER, P.S. RANGJULI, DISTRICT GOALPARA, ASSAM

2: MOHAN DAS
SON OF RABI DAS
VILLAGE NO 1 BALADMARI CHAR
P.S. GOALPARA
DISTRICT GOALPARA
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR F HAQUE, MS. A MAIBANGSA,MR A ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 13.10.2026

Heard Mr. F. Haque, learned Counsel for the petitioners and Mr. DP Goswami, learned Additional Public Prosecutor for the State.

2. By this application, the petitioners have prayed for bail in connection with Goalpara P.S. Case No. 159/2026 registered under Sections 318(4)/319(2)/336(3)/340(2)/61(2)/3(5) of BNS, 2023. The FIR in connection with which the petitioners were arrested on 27.08.2026 was lodged by the police personnel of Goalpara Police Station stating inter alia that on an information from the Senior Superintendent of Police, CID, an inquiry was conducted into the data furnished by the Department of Telecom for Goalpara District, and it was found out that across the district, 356 suspected point of sale agents have issued sim connections, which are ultimately used in cyber fraud.

3. The learned Counsel for the petitioners submits that petitioner no.1 supplies sim cards to the agents running point of sale and petitioner no.2 runs a point of sale in the name of MA Enterprise and that they are not involved in the cyber fraud inasmuch as, he submits that they received applications and get the sims issued from the said company and they distribute to the customers.

4. Mr. DP Goswami, learned Additional Public Prosecutor for the State on the other hand submits that the ground of arrest attached to the forwarding report shows their involvement in the said offence and he prays for calling of the Case Diary to see their complicity.

5. Upon consideration of the submissions made by the learned Counsel for the parties, more so, in view of the fact that the petitioners have been inside the jail for 47 days and also due to the fact that they were operating point of sale outlets and that they only issue sim which are activated by the company, this Court deems it fit to enlarge the petitioners on bail on furnishing of bail bond of Rs. 20,000/- each with one local surety each of the like amount to the satisfaction of CJM, Goalpara under the following conditions:

i) the petitioners will appear before the Investigating Officer thereafter as and when called for.

ii) the petitioners will not hamper, tamper with the evidence, neither influence the witnesses connected with the case.

iii) the petitioners will not leave the place of jurisdiction without the permission of the concerned Court.

6. Petition is disposed of.

JUDGE

Comparing Assistant