GAHC010230652026

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

Case No. : AB/2631/2026

DILDAR ALI AND 7 ORS
S/O TAFIKUL ALI, R/O MAIRACHARA, P.O. DAMALCHOS, P.S. BOKO,
DISTRICT KAMRUP, ASSAM.

2: KHADIJA BEGUM
D/O KHALRAT ALI
AND W/O DILDAR ALI
R/O MAIRACHARA
P.O. DAMALCHOS
P.S. BOKO
DISTRICT KAMRUP
ASSAM.

3: TAFIKUL ALI
S/O MAHENDRA RABHA
R/O MAIRACHARA
P.O. DAMALCHOS
P.S. BOKO
DISTRICT KAMRUP
ASSAM.

4: MAJIRUN BIBI
D/O FAIJO ALI
AND W/O TAFIKUL ALI
R/O MAIRACHARA
P.O. DAMALCHOS
P.S. BOKO
DISTRICT KAMRUP
ASSAM.

5: ASHINUR ALI
S/O SYED IMRAT ALI
R/O GHILABARI
P.O. DAMALCHOS

P.S. BOKO
DISTRICT KAMRUP
ASSAM.

6: ASAN ALI
S/O SYED IMRAT ALI
R/O GHILABARI
P.O. DAMALCHOS
P.S. BOKO
DISTRICT KAMRUP
ASSAM.

7: AMANUL ISLAM
S/O HIKMOT ALI
R/O GHILABARI
P.O. DAMAICHOS
P.S. BOKO
DISTRICT KAMRUP
ASSAM.

8: NURKAN BIBI
W/O HIKMAT ALI
R/O GHILABARI
P.O. DAMALCHOS
P.S. BOKO
DISTRICT KAMRUP
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR

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

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 13.10.2026

Heard Mr. A. 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 pre-arrest bail in connection with Goalpara P.S. Case No. 159/2026 registered under Sections 319(2)/318(4)/336(3)/340(2)/61(2)/3(5) of BNS, 2023. The FIR in connection with which the petitioners are apprehending arrest was lodged on 25.08.2026 by the police personnel of Goalpara Police Station stating inter alia that on an information received from the senior Superintendent of Police, CID, an inquiry was conducted into the date furnished by the Department of Telecom for Goalpara District and in the said inquiry, it was found out that across the district, 356 suspected point of sale agents have issued many sims which are ultimately used in the cyber fraud.

3. The learned Counsel for the petitioners submits that the petitioners were issued notices under Section 35(3) of BNSS, 2023, but for genuine reasons that they could not appear on the date fixed for their appearance before the Investigating Officer. He however submits that the petitioners will cooperate with the investigation without fail.

4. On the other hand, Mr. DP Goswami, learned Addi4t4ional Public Prosecutor for the State submits that the allegations made in the FIR shows an organized crime and that the petitioners were the owners of the sim cards, which are linked to the cyber fraud.

5. Upon consideration of the submissions made by the learned Counsel for

the parties, more so, in view of the fact that notice under Section 35(3) of the BNSS was issued to the petitioners and also due to the fact that petitioners had pleaded that those sim numbers which are mentioned in the notices does not belong to them, this Court deems it fit to enlarge the petitioners on pre arrest bail on furnishing of bail bond of Rs. 20,000/- each with one local surety each of the like amount to the satisfaction of Arresting Authority under the following conditions:

i) the petitioners will appear before the Investigating Officer within 15 days from the date of the order and if the petitioner does not appear within that period, the bail order may be cancelled.

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

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

iv) the petitioners will not leave the place of jurisdiction without the permission of the Arresting Authority.

6. Petition is disposed of.

JUDGE

Comparing Assistant