GAHC010241132026

2026:GAU-AS:16646

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

Case No. : Bail Appln./3380/2026

SAFAKAT ANSARI
S/O- MD. MADRUDDIN ANSARI
PERMANENT RESIDENT OF VILL.- PINDARI
P.S.- SARATH
DIST.- DEOGHAR
JHARKHAND. PRESENT RESIDENT OF C/O FAJAL HOQUE VILL. RAHIM UDDIN P.S. NAGARBERA DIST. KAMRUP
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM.

Advocate for : MR. M I HUSSAIN
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 11.11.2026

Heard Mr. M.I. Hussain, 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, **Safakat Ansari**, who have 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. Hussain, learned counsel for the accused, submits that the accused was arrested on 27.09.2026 and since then he is behind the bar for last 46 days. Mr. Hussain also submits that the accused is innocent and not at all involved with the offences alleged in the FIR

and his further custodial detention may not be warranted in the interest of investigation. He also submits that the accused is ready to abide by any condition imposed by this Court and therefore, he has contended to allow the 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. Perusal of the case diary indicates that the I.O. has collected sufficient incriminating material against the present accused who hails from Jharkhand. Investigation is going on and custodial detention of the accused seems to be warranted in the interest of investigation. Accordingly, this Court is of the view that this is not a fit case for granting bail to the accused.

8. Accordingly, this petition stands dismissed. The case diary be returned.

JUDGE

Comparing Assistant