GAHC010232772026

undefined

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

Case No. : AB/2682/2026

MANOWARA BEGUM
WIFE OF MAGABUL ALI ALSO KNOWN AS MOGUL ALI RESIDENT OF VILLAGE 1 NO SOLMARI POLICE STATION HAJO DISTRICT KAMRUP ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. R ALI, MISS. S PARBIN,MR H A AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

12.11.2026

1. Heard Mr. H.A. Ahmed, learned counsel appearing for the petitioner. Also heard Ms. A. Begum, learned APP appearing for the State of Assam.

2. By this application the petitioner for the second time has prayed for pre-arrest bail in connection with Hajo P.S. Case No. 370/2026 registered under Sections

316(2), 336(3), 340(2) and 3(5) of the BNS, 2023.

3. The FIR in connection with which the petitioner is apprehending arrest was lodged by one Samiran Nessa stating *inter alia* that the petitioner along with two other persons had collected documents from her and had also obtained a one-time password (OTP) from her. It is further alleged that on the pretext of crediting money into the informant's bank account, the accused persons opened a bank account in her name and subsequently misused the same by hacking into it.

4. The learned counsel appearing for the petitioner submits that the principal accused persons, namely, accused Nos. 1 and 3 as arrayed in the FIR have been enlarged on pre-arrest bail. He further submits that the petitioner was merely used by the other accused persons in the commission of the alleged offence.

5. Ms. A. Begum, learned APP on the other hand upon perusal of the case diary submits that the witnesses have clearly stated that the petitioner along with the other accused persons had cheated them.

6. Upon consideration of the submissions made by the learned counsel for the parties, more so in view of the fact that the petitioner has already been examined by the Investigating Officer and that no specific allegation has been made against the petitioner apart from the general allegation that the petitioner had acted along with the other accused persons, this Court is inclined to grant the privilege of pre-arrest bail to the petitioner. Accordingly, the petitioner is hereby enlarged on pre-arrest bail on furnishing a bail bond of Rs. 20,000/- (Rupees twenty thousand) with one local surety of a like amount to the satisfaction of the Arresting Authority subject to the following conditions:

(i) The petitioner shall positively appear before the Investigating Officer within a period of 15 days from today and cooperate with the

investigation without fail;

(ii) The petitioner shall not hamper and tamper with the evidence of the case, and/or influence the witness connected with the case; and

(iii) The petitioner shall not leave his residence without prior permission of the Investigating Officer.

7. Accordingly, this Anticipatory Bail application is disposed of.

JUDGE

Comparing Assistant