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2026:GAU-AS:16644

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

Case No. : Bail Appln./3479/2026

ROFIKUL ISLAM @ MD. ROFIKUL ISLAM
SON OF MOBARAK ALI, RESIDENT OF NO. 1 TUPAMARI, POLICE STATION- NAGARBERA, DISTRICT- KAMRUP, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A PARAMANIK, P. KALITA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 11.11.2026

Heard Mr. A Pramanik, 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, **Rofikul Islam @ Md. Rofikul Islam,** who has been languishing in jail hazot, since 09.10.206, 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. Pramanik, learned Counsel for the accused submits that the accused is behind the bar for last 34 days. He also submits that the accused is innocent and not at all involved with the offences as alleged in the FIR. He also submits that he is ready to co-operate with the investigating agency and will abide by any conditions 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. Mr. Baruah submits that the I.O. has collected sufficient materials against the present accused. He also submits that the

investigation is still going on, and some of the co-accused are absconding, and in view of the aforementioned facts and circumstances, Mr. Baruah, 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. That perusal of the case diary indicates that the I.O. has collected some materials during investigation which suggests involvement of the present accused with the offences alleged in the FIR. 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.

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

JUDGE

Comparing Assistant