GAHC010247792026

2026:GAU-AS:16815

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

Case No. : AB/2869/2026

SAIFUL ISLAM
VILL KALDI, P.O. BARTOLA, MUKALMUA , DIST - NALBARI, (ASSAM), PIN - 781138.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PUBLIC PROSECUTOR, ASSAM

2:THE STATE OF RAJASTHAN
REPRESENTED BY PUBLIC PROSECUTOR
GOVERNMENT OF RAJASTHAN

Advocate for the Petitioner : MR N ZAMAN,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 16-11-2026

Heard Mr. N. Zaman, learned counsel for the petitioner. Also heard Mr. D. P. Goswami, learned Additional PP for the State.

2. The petitioner invoking section 482 BNSS is seeking transit anticipatory bail

in connection with Cyber PS Jhalawar Case No. 29/2026 under section 318(4)/319(2) BNSS read with section 66C/66D of IT Act.

3. It is stated and submitted that the said case appears to have been registered with regard to some cyber fraud. It is submitted that the petitioner is not named in the FIR. However, he has received notice under section 35(3) BNSS from the Jhalawar Police station and therefore, with some apprehension of arrest, he is before this Court.

4. It is rightly pointed out by the learned Additional PP that to avail benefit of such a transit anticipatory bail, the petitioner is also required to show the reasons as to why he has not approached the jurisdictional court at first instance.

5. In this context, the learned counsel has drawn attention to para 6 and 7 of the bail petition regarding the same and states that the petitioner was making some necessary financial arrangements to travel to Rajasthan.

6. Upon giving my consideration to the matter and holding that the appearance of the petitioner before the Jhalawar Police station could assist in the investigation of the case, I am inclined to allow the prayer invoking the principles laid down in *Priya Indoria Vs. State of Karnataka and Ors* reported in *(2024) 4 SCC 749.*

7. Accordingly, it is directed that for the period of 15 (fifteen days) from today, i.e., till 01.12.2026, in the event of arrest of the petitioner in connection with the aforesaid case, he shall be allowed to go on bail on furnishing a bail bond of Rs. 30,000/- (Rupees thirty thousand) with one surety of like amount to the satisfaction of the Arresting authority, subject to the conditions that:-

(i) He shall cooperate with the investigation;

(ii) He shall not hamper or tamper with evidence.

8. Within this period, the petitioner is at liberty to move the jurisdictional court (district or high court) for remedies available in law.

9. Anticipatory bail application stands allowed and disposed of.

JUDGE

Comparing Assistant