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

Case No. : AB/2939/2026

MONIJA KHATUN
W/O - HARAN ALI
R/O VILL AND PO TAPABARI PS HAJO DIST KAMRUP ASSAM

VERSUS

THE STATE OF ASSAM
REP.BY THE PP, ASSAM

Advocate for the Petitioner : MR. J A AHMED, MR L HUSSAIN,MR. K M HASSAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

18.11.2026

1. Heard Mr. K.M. Hassan, learned counsel appearing for the petitioner. Also heard Mr. K.K. Das, learned APP appearing for the State of Assam.

2. By this application the petitioner 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)/3(5) of the BNS, 2023.

3. The FIR in connection with which the petitioner apprehends arrest was lodged by the victim stating *inter alia* that the accused persons named in the FIR had collected documents from her and other victims on the promise that money would be deposited into their respective bank accounts but had instead used the said bank documents for fraudulent purposes.

4. The learned counsel appearing for the petitioner submits that during the investigation of the said case, the petitioner's husband was arrested on the allegation of his involvement in the offence and that 14 SIM cards were recovered from his possession. He further submits that the forwarding report of the petitioner's husband records that the petitioner is also in possession of SIM cards allegedly used in cyber fraud activities. However, he submits that the petitioner has no connection whatsoever with the alleged offence.

5. On the other hand, Mr. K.K. Das, learned APP, submits that the complicity of the petitioner would be ascertained upon perusal of the case diary and accordingly prays for calling for the same.

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 been implicated in the offence solely on the basis of certain SIM cards allegedly recovered from her house where she resides along with her husband, this Court is inclined to grant the privilege of pre-arrest bail to the petitioner 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 without prior permission of the Investigating Officer.

7. Accordingly, this Anticipatory Bail Application stands disposed of.

JUDGE

Comparing Assistant