GAHC010250152026

2026:GAU-AS:16817

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

Case No. : AB/2915/2026

EFTIYAR HUSSAIN
SON OF MAINUDDIN AHMED, RESIDENT OF VILLAGE DEHARKALAKUCHI, P.O. DEHARKALAKUCHI, P.S. BELSOR, DISTRICT NALBARI, ASSAM, PIN 781310.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR SAIFUL ISLAM, MR. R ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 16-11-2026

Heard Mr. R. Islam, 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 East Cyber Crime Police Station Case No. 231/2026 under

section 66(C)/66(D) of IT Act, 2000 and section 318(4) BNS.

3. The case purportedly pertains to cyber criminal activities. It is submitted that as per the information, the petitioner is not named in the FIR. Drawing attention to para 5 onwards of the bail petition, it is submitted that one of his friends has taken his bank account details and he suspects that perhaps some cyber crime activities has been committed. It is further stated and submitted that notice under section 35(3) BNSS was received from the Cyber Crime Police Station, East Division Bengaluru City, Karnataka. The petitioner received the said notice to appear within 7 (seven) days from 01.10.2026, but he received the notice only on 08.10.2026, by which time the period was already over. It is submitted that the petitioner is desirous of appearing before the said police station, but, due to his apprehension, he is before this court.

4. I have perused the notice annexed in the bail petition.

5. Upon giving my consideration to the matter and holding that the appearance of the petitioner before the Cyber Crime Police Station, East Division Bengaluru City, Karnataka could assist in the investigation of the case, I am inclined to allow the prayer, invoking the principles in *Priya Indoria Vs. State of Karnataka and Ors* reported in *(2024) 4 SCC 749.*

6. 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.

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

8. Anticipatory bail application stands allowed and disposed of.

JUDGE

Comparing Assistant