GAHC010213752026

2026:GAU-AS:15601

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

Case No. : Bail Appln./3013/2026

SONU YADAV
S/O-BRIJESH KUMAR R/O-VILL- NAGLA BALE, P.O. MAMAN, P.S. USRAHAR, DIST- ETAWAH, UTTAR PRADESH-206242.

VERSUS

STATE OF ASSAM
REPRESENTED BY PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR P DAS, MS R P DAS,MR P PRAWAR

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MR. JUSTICE SANJEEV KUMAR SHARMA

O R D E R

14.10.2026

Heard Mr. P. Prawar, learned counsel for the petitioner. Also heard P.S. Lahkar, learned Addl. Public Prosecutor for the State.

2. This is an application under Section 483 of BNSS, 2023 for granting bail to the petitioner namely, Sri Sonu Yadav, in connection with Tezpur P.S. Case No. 446/2026 (Corresponding to G.R. Case No.1041/2026) under Sections 316(2)/318(4)/336(3)/338/340(2)/61(2) of BNS r/w Section 66(c)/66(D)/72(a) of the Information of Technology Act.

3. The allegation made in the FIR is that one Nazmul Ansari on 27.07.2026 lodged a written complaint before the Officer-in-Charge of Tezpur Police Station suspecting misuse of his biometric, fingerprint and iris scan by one Mr. Jewel Ahmed. The informant enrolled himself in a Skill India Related program of the Government of India. For the purpose of enrolment, the said Mr. Jewel Ahmed took his documents, biometric details, finger print and iris scans. Initially, the informant was told that the biometric details would be required for the purpose of registration and Aadhar/KYC verification and after completion of verification the informant would be imparting training followed by payment of stipend.

4. However, the informant became skeptical from the factum of storing of his biometric details and use of the same for the purpose of attendance. Hence, fearing misuse of his biometric details, he lodged the FIR dated 27.07.2026. Accordingly, the police registered the Tezpur P.S. Case No. 446/2026 (Corresponding to G.R. Case No.1041/2026) under Sections 316(2)/318(4)/336(3)/338/340(2)/61(2) of BNS r/w Section 66(c)/66(D)/72(a) of Information of Technology Act.

5. Learned counsel for the petitioner submits that the petitioner was only a contractual worker under another co-accused-Keshab Dubey.

6. Learned Addl. PP submits that the petitioner facilitated the commission of the offence by providing technical knowledge assistance for collection of IRIS

data.

7. It appears that six other co-accused persons have been granted bail by this Court in separate bail application.

8. From the orders passed in those cases, it appears that the I.O has already collected the evidence and further evidence is required to be collected to complete the financial trail, digital communications, records, devices, biometric data and correlation of the statements of other accused persons from States like Bihar, Madhya Pradesh, Uttar Pradesh, Odisha etc., as stated in the said objection. Therefore, the investigation is likely to take a long period of time and although some incriminating material appears to have surfaced against the petitioner, mainly from the statements of co-accused persons, the petitioner cannot be kept in detention indefinitely till completion of the investigation having regard to the role attributed to him in the commission of the alleged offence.

9. Furthermore, as reflected in the order dated 18.09.2026 in BA No. 2499/2026, wherein another co-accused has been granted bail in the same case, it appears that the petitioner was thoroughly interrogated while in police custody and moreover, he has spent about 53 days in custody and the investigation of the case, as would appear from the CD, would take a long time for completion. Having regard to the aforesaid, the prayer for bail is allowed.

10. Accordingly, the petitioner named above shall be released on bail on furnishing a bail bond of Rs. 50,000/- with two sureties of the like amount to the satisfaction of learned jurisdictional Magistrate/Court subject to the condition that the petitioner shall continue to cooperate with the investigation and shall appear before the I.O. as and when required or summoned.

11. Bail application stands disposed of.

JUDGE

Comparing Assistant