GAHC010231672026

2026:GAU-AS:15772

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

Case No. : AB/2678/2026

KANSU ALI
S/O- JAMALUDDIN, R/O. VILL.- NO. 2 DAKSHIN RANGAPANI, P.S. BOKO, DIST.- KAMRUP, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM.

Advocate for the Petitioner : MR. M I HUSSAIN, R KHA,MS. P AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 15-10-2026

Heard Mr. M. I. Hussain, learned counsel appearing for the accused applicant and Ms. A. Begum, learned Additional Public Prosecutor for the State.

2. This is an application under Section 482 of the BNSS, 2023 praying for grant of pre-arrest bail to the accused applicant in connection with Tarabari P.S.

Case No. 47/2026 under Sections 318(4)/336(3)/61(2) of the BNS, 2023 read with Sections 66C/66D of the IT Act.

3. The gist of the case is that one SI(P) Biswajit Das of Tarabari Police Station lodged an FIR, on 18.07.2026, before the Officer-in-Charge, Tarabari Police Station alleging, *inter alia*, that on 18.07.2026 at around 12:10 a.m., on the basis of reliable source information, a person suspected of being involved in cybercrime and financial fraud activities operating from his residence at Roumari Gaon under Tarabari Police Station, was apprehended. The police seized eight mobile phones, eight ATM cards, two Indian Bank passbooks and one PAN card. The police also seized a cash amount of Rs. 52,000/-.

4. On the basis of the FIR, the police registered the Tarabari P.S. Case No. 47/2026 under the aforementioned sections.

5. Mr. Hussain, learned counsel appearing for the accused applicant, submits that the accused applicant has no links to the alleged offence. He further submits that the main accused, *Tahir Ali* and some other accused persons arrested in connection with the aforesaid case have already been granted bail by this Court. He further submits that, although the accused applicant is not named in the FIR, he has received a WT message from Tarabari Police Station directing him to appear before the police. In view of the said communication, the accused applicant apprehends that he may be arrested upon appearing before the police. Accordingly, he has filed the instant application seeking pre-arrest bail.

6. The learned Additional Public Prosecutor for the State opposes the prayer for bail of the accused applicant.

7. This Court has considered the matter in its entirety. Having regard to the

facts and circumstances of the case, this Court is of the considered opinion that the accused applicant may be granted the privilege of pre-arrest bail.

8. Accordingly, it is directed that, in the event of the arrest of the accused applicant, namely, *Sri Kansu Ali*, in connection with Tarabari P.S. Case No. 47/2026, he shall be released on pre-arrest bail upon 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 following conditions:

i. that the accused applicant shall appear before the investigating officer within 10 (ten) days from today and thereafter, as and when called for;

ii. that the accused applicant shall not directly or indirectly make any inducement, threat or promise to any person, who may be acquainted with the facts of the case, so as to dissuade such person from disposing such facts before the investigating authority against the accused applicant;

iii. that the accused applicant shall not directly or indirectly attempt to hamper with the investigation and tamper with the evidence of the case in any manner.

9. In terms of the aforesaid direction, the instant anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant