

GAHC010166152026



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

Case No. : Bail Appln./2236/2026

SRI AMIT KR BERIA
S/O LATE SAWARMAN BERIA
R/O 44 SANJIBANI PATHOMIO KUMAR INSTITUTE VIP ROAD
HENGRANBARI, P.S. DISPUR, DISTRICT KAMRUP (M), ASSAM
MOBILE NO. 9706720400

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. P K CHETRY, MR. MD I HAQUE

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 10.08.2026

Heard Mr. P.K. Chetry, learned counsel for the accused. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State respondent.

2. This petition, under Section 483, BNSS is preferred by accused, namely, Amit Kr. Beria, who has been languishing in jail hazot in connection with CID

Cyber P.S. Case No. 7/2026, under Sections 318(4), 319(2), 336(3), 340(2), 61(2) of the BNS, 2023, read with Sections 66C/66D/72 of the IT Act, since 29.05.2026, for grant of bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of an FIR lodged by one Amit Kumar Jain, Branch Manager of HDFC Bank, Six Mile Branch, on 06.05.2026. The essence of allegation against the present accused is that his account in HDFC Bank, Six Mile Branch was found to be beneficiary in multiple cyber crime complaints from various victims and while reviewing the current account statement, it was found that the disputed amount to be credited from SBI and IDBI bank account holder on 09.04.2026, and that the throughput amount was found to be Rs. 3.58 crores in last six months, and the total disputed amount was reported to be Rs. 40.20 lakhs.

4. Mr. Chetry, the learned counsel for the accused submits that the accused was arrested and forwarded to jail hazot on 30.05.2026, and since then, he has been languishing in jail hazot for last 73 days. Mr. Chetry also submits that the offence, under which the case has been registered, has 60 days mandatory period, and since no charge-sheet has been submitted till date, the accused is entitled to default bail.

5. On the other hand, Mr. Borthakur, learned Additional Public Prosecutor for the State respondent on instruction, submits that the charge-sheet has not yet been submitted till date.

6. Having heard the submissions of learned Advocates of both sides, this Court has carefully gone through the petition and the documents placed on record.

7. Since the accused has been languishing in jail hazot for last 73 days and

since the statutory period in this case is admittedly 60 days, and since no charge-sheet has been submitted within the stipulated period, this Court is of the view that the accused is entitled to default bail.

8. Accordingly, this Court is inclined to allow the petition. It is provided that on furnishing a bond of Rs. 50,000/-, with one surety of like amount, to the satisfaction of the learned Chief Judicial Magistrate, Kamrup(M), Guwahati, the accused be enlarged on bail.

9. In terms of above, this bail application stands disposed of.

JUDGE

Comparing Assistant