

GAHC040005682023



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

Case No. : AB 21/2023

1:Jikke Tayu @ Tami Tayu
Son of Jikke Tada,
Permanent Resident of Hania Village, PO/PS Tali, District Kra Daadi,
Presently residing at Papu Nallah, Naharlagun, PO Naharlagun, PS Pappu Hill,
Papum Pare District, Arunachal Pradesh.
Mobile No. 9366912793

VERSUS

1:THE STATE OF AP
Represented by the Public Prosecutor.

Advocate for the Petitioner : Gimi Tarak

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MR. JUSTICE NANI TAGIA

ORDER

Date : 16.05.2023

Heard Mr. Taja Garam, learned counsel for the applicant. Also heard Mr. G. Tado, learned Additional Public Prosecutor for the State.

This is an application, under Section 438 of the Code of Criminal Procedure, 1973, for grant of pre-arrest bail to the applicant, namely, Shri

Jikke Tayu @ Tami Tayu in connection with KLG P.S. Case No. 09/2023, under Sections 468/471/120B(1) of the IPC *read with* Section 25 of the Arms Act.

The aforesaid KLG P.S. Case No. 09/2023, under Sections 468/471/120B (1) of the IPC *read with* Section 25 of the Arms Act, has been registered on the basis of an F.I.R. dated 03.04.2023, lodged by the District Magistrate, Kurung Kumey District to the Officer In-charge, Police Station Koloring against Shri Tagio Pata, alleging that the said Shri Tagio Pata has made many arms license in the name of the Office of the District Magistrate, Kurung Kumey District, which were used to subsequently purchase multiple nos. of fire arms.

This Court by an order dated 04.05.2023, while granting the applicant the privilege of interim pre-arrest bail in connection with KLG P.S. Case No. 09/2023, under Sections 468/471/120B (1) of the IPC *read with* Section 25 of the Arms Act had called for the Case Diary. Pursuant thereto, Mr. Tado, learned Additional Public Prosecutor has produced the Case Diary.

On perusal of the Case Diary, it is noticed that the accused Shri Tagio Pata, who was arrested in connection with the aforesaid KLG P.S. Case No. 09/2023 has stated that the present applicant had approached him with Rs. 20,000/- (Twenty thousand) cash for arm license for another person and pursuant thereto, he had made a fake arm license for the person, who he now does not remember. In addition thereto, the applicant has also been named by one of the witness that on a repeated visit made by the present applicant, he had paid Rs. 20,000/- to the present applicant for an arm license.

In view of the above facts revealed in the Case Diary, I am of the view

that this is not a fit case for grant of pre-arrest bail to the applicant in connection with the KLG P.S. Case No. 09/2023, under Sections 468/471/120B (1) of the IPC *read with* Section 25 of the Arms Act.

Accordingly, this anticipatory bail application filed by the applicant is dismissed being devoid of merit.

Interim pre-arrest bail granted on 04.05.2023, accordingly, is hereby recalled.

Case Diary be return back.

JUDGE

Comparing Assistant