

GAHC040000052024



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

Case No. : AB/1/2024

Tagru Tangum
S/o Lt Tagru Tadar, permanent resident of Dotte village, PO Tali, Kra Daadi District,
AP presently residing at Byasi village, PO Sangram, Kurungkumey District, AP

VERSUS

The State of AP
represented by the PP of AP, Yupia

Advocate for the Petitioner : S Tada

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 24.01.2024

Heard Mr. S. Tada, learned counsel for the petitioner/accused. Also heard Ms. T. Jini, learned Additional Public Prosecutor for the State of Arunachal Pradesh.

This is an application under Section 438 of Cr.P.C, 1973, praying for grant of anticipatory bail to the accused/applicant, namely, Shri Tagru Tangum in

connection with SGM P.S. Case No. 03/2023 under Sections 447/376/506 IPC.

Case Diary has been received and I have perused the same.

The learned counsel for the petitioner has submitted that the petitioner/accused is innocent and he is no way involved in the alleged offence. Further he has submitted that the petitioner had an extra marital affair with the informant and since last 1(one) year they had physical relationship with each other and it was under the consent of informant but on 05.08.2023, when the petitioner was having the physical relationship with the informant, her step son saw the incident and accordingly, it was reported to her husband. Thereafter, the entire family was pressurizing the informant to lodge the complaint/FIR against the petitioner and in Kebang decision also the informant and his family demanded the entire property of the petitioner. As he refused to deliver his property the present FIR has been lodged against the petitioner/accused, however, the petitioner/accused is ready to co-operate with the investigating officer in the further investigation of the case if he is granted with the privilege of pre-arrest bail.

In this context, Ms. T. Jini, learned counsel for the petitioner has submitted that from the materials available in the Case Diary and also from the withdrawal of the FIR filed by the informant, there may not any necessity of custodial interrogation of this case. Accordingly, she raised no objection in granting the petitioner/accused the privilege of pre-arrest bail.

Considering the submissions made by the learned counsel for both the

sides and also considering the facts and circumstances of the case, the petition for withdrawal filed by the informant and also considering the statement made in the FIR, I find that this is a fit case to extend the privilege of pre-arrest bail to the petitioner/ accused.

Accordingly, it is provided that in the event of arrest of the petitioner/accused, namely, Shri Tagru Tangum, in connection with SGM P.S. Case No. 03/2023 under Sections 447/376/506 IPC, he shall be enlarged on pre-arrest bail on his executing a bond of Rs. 20,000/- (Rupees twenty thousand) only with one surety of like amount to the satisfaction of the arresting authority, subject to the following conditions:

- (i) that the petitioner shall appear before the investigating officer of the case within 7(seven) days from today;
- (ii) that the petitioner shall make himself available for interrogation by the Investigating Officer as and when required;
- (iii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and

Case Diary be return back.

With the above observation, this anticipatory bail application stands

disposed of.

JUDGE

Comparing Assistant