

GAHC040002092024



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

**Case No. : BA/10/2024**

Sange Chotten Thongon  
D/O Shri R C Thongon, resident of Rupa, Near SBI Office, PO Rupa, West Kameng  
District, Arunachal Pradesh

VERSUS

The State of AP  
represented by the PP of AP

**Advocate for the Petitioner : G Taloh**

**Advocate for the Respondent : P P of AP**

**BEFORE**  
**HONBLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**Date : 11-03-2024**

Heard Mr. G. Taloh, the learned counsel for the petitioner and  
Ms T. Jini, the learned Additional Public Prosecutor for the State of  
Arunachal Pradesh.

This is an application under Section 439 Cr.P.C in respect of Bomdila P.S. Case No. 01/2024, under Sections 381/408 of the Indian Penal Code read with Section 27 of the NDPS Act.

The petitioner herein is an employee of the office of Chief Judicial Magistrate, Bomdila. It is alleged that on 17.01.2024, 18.01.2024 and on 19.01.2024, the petitioner had broke open a locked drawer of an employee called Tenzing Tsering Bapu and thereafter, he had taken away some NDPS case samples and other things.

The case diary reveals that investigation is complete and I.O is going to file a Charge-Sheet.

The petitioner claim that he has been custody for the last 50(fifty) days and he is suffering from some ailments including psychiatric problems.

Mr. G. Taloh, the learned counsel for the petitioner submits that the period of detention already undergone by him in custody should be taken as a ground for releasing him on bail after considering the facts and circumstances of the case.

I have considered the submissions of the learned counsel of both sides.

This Court is of the opinion that the petitioner no longer deserves to be detained in the custody therefore, his bail application is allowed. The petitioner, Shri Tenzin Rabgel Thongon shall be released on bail on furnishing a bail bond of Rs.25,000/- with a surety of like amount to the satisfaction of the Chief Judicial Magistrate, Bomdila.

The bail application accordingly, stands disposed of.

Case diary shall be returned.

**JUDGE**

**Comparing Assistant**