

GAHC040003322024



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

Case No. : AB/53/2024

Vijay Kino
Son of Shri Babung Kino, a permanent resident of Sengrikwa village, PO and PS
Seppa, East Kameng District, Arunachal Pradesh and present resident of Bhalukpong,
PO and PS Bhalukpong, West Kameng District, Arunachal Pradesh

VERSUS

The State of AP and Anr
represented by the PP 2:Santosh Cheda
Age: 0
Occupation

Advocate for the Petitioner : Tabo Gyadi

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

14.03.2024

Heard Mr. T. Gyadi, learned counsel for the petitioner as well as Ms. L Hage,
learned Additional Public Prosecutor, Assam.

This is an application under Section 438 CrPC filed by the petitioner, namely,
Shri Vijay Kino, praying for release on pre-arrest bail in connection with Seppa WPS

Case No. 02/2024 under Section 376 IPC read with Section 6 of POCSO Act.

In the year 2020, the petitioner fell in love with a 13 years old girl. Thereafter, on a promise to marry, victim girl was taken away by the petitioner to Bhalukpung and sometime later, they got married. In the year 2021 and in the year 2022, the girl gave birth to two children.

After birth of the children, the petitioner allegedly started to misbehave with the girl and, therefore, her brother lodged the FIR before the Police alleging the aforesaid facts.

I have considered the submission made by the learned counsel for both the sides.

This court is of the opinion that no purpose would be served by keeping the petitioner in custody. Therefore, his prayer for pre-arrest bail is allowed.

Accordingly, it is directed that in the event of arrest of the petitioner Shri Vijay Kino in connection with Seppa WPS Case No. 02/2024 under Section 376 IPC read with Section 6 of POCSO Act, the arresting authority shall release him on bail of Rs.25,000/- with one surety of like amount to the satisfaction of the arresting authority.

The petitioner is directed to appear before the Investigating Officer within 7 (seven) days from today and shall cooperate with the investigation as and when required.

The bail application is disposed of.

JUDGE

Comparing Assistant