GAHC040004772024

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

Case No. : IA(Crl)/26/2024

Tapi Gao
Son of Late Tapuk Gao, resident of Sille Village, PO and PS Oyan, East Siang District, Arunachal Pradesh

VERSUS

The State of AP
represented by the Special PP (SIC/VIG)

Advocate for the Petitioner : Rinchin Ledo Thungon

Advocate for the Respondent : Ojing Pada

BEFORE
HONBLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 08-04-2024

Heard Mr. D. Mazumdar, the learned Sr. counsel assisted by Mr. S. Biswas, the learned counsel for the petitioner and Mr. O. Pada, the learned Standing Counsel, SIC(Vig.).

2. By filing this interlocutory application, the applicant seeks for modification of paragraph-12 of the Order dated 01.04.2024 passed in AB No. 43 (AP)/2024 (Shri Tapi Gao versus The State of Arunachal Pradesh).

3. The learned counsel for the applicant submits that since the condition 4 of the paragraph-10 covers the entire period till the end of the investigation, the condition of paragraph-12 which directs the applicant to apply for grant of regular bail before the Special Judge (PC Act) within 30 days may not be required.

4. Mr. O. Pada, the learned Standing Counsel, SIC conceded the submission of the learned Senior Counsel and further submits that the I.O of the case may not be able to complete the investigation and submit charge-sheet within 30 days. As such, he has no objection, if the said paragraph-12 is modified.

5. In view of the submission made above, the paragraph-12 is hereby modified and the same shall be read as- "**that the petitioner shall obtain regular bail from the Special Judge (PC Act) after submission of the charge-sheet into the case".**

6. Accordingly, the Order dated 01.04.2024, stands corrected to the extent as indicated above.

7. With the above, this order shall be read along with the bail Order dated 01.04.2024 passed in AB No. 43 (AP)/2024 (Shri Tapi Gao versus The State of Arunachal Pradesh)

8. The interlocutory application stands disposed of.

JUDGE

Comparing Assistant