



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

Case No. : BA/64/2024

Mama Rigam
Son of Late Saje Rigam, resident of Type- I Colony, PO and PS Seppa, East Kameng
District, Arunachal Pradesh

VERSUS

The State of AP and Anr
represented by the PP of AP

2:Miss Tana Moryom
Age: 0
Occupation :
Daughter of Tanya Tari Yupia village PO and PS Doimukh Papumpare District
Arunachal Pradesh

Advocate for the Petitioner : Teto Taba

Advocate for the Respondent : P P of AP, Mr. R. Riba

BEFORE
HONBLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 02-09-2024

Heard Mr. T. Taba, learned counsel for the petitioner. Also heard Mr. T. Ete, learned Additional Public Prosecutor for the State of Arunachal Pradesh and Mr. R. Riba, learned counsel appearing for the informant/respondent No. 2.

This is an application under Section 439 of the Cr.P.C., 1973, praying for releasing the petitioner *Shri Kenge Rigam* on bail in connection with Itanagar Women Police Station Case No. 67/2021, under Sections 376/506/ IPC read with Section 6 of the POCSO Act. The petitioner has been facing trial in respect of POCSO Case No. 16/2021, pending in the Court of the learned Special Judge, POCSO, Yupia.

The victim has been examined and she has become hostile.

Mr. T. Ete, learned Additional Public Prosecutor submits that considering the evidence of the victim, the Investigating Officer and the Magistrate who recorded her statement at the time of investigation, deserves to be examined immediately.

I have considered the submissions made by the learned counsels for both the sides.

This Court is of the opinion that at this stage, the petitioner does not deserve to be released on bail.

The Trial Court of the Special Judge, POCSO, Yupia is directed to dispose of the case within the next 3 (three) months of receiving this order.

With the aforesaid direction, the instant bail application stands dismissed and disposed of, accordingly.

JUDGE

Comparing Assistant