

GAHC040008182024



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

Case No. : IA(Crl)/60/2024

Kopo Taku
Age: 40
Occupation :
Address: Son of Late Bacha Taku
resident of Village Kaku Kao
PO and PS Seppa
East Kameng District
Arunachal Pradesh

VERSUS

The State of AP
Age: 0
Occupation :
Address: represented by the PP of AP

Advocate for the Petitioner : T. Torum

Advocate for the Respondent : T. Jini, P P of AP

**BEFORE
HONBLE MRS. JUSTICE MARLI VANKUNG**

ORDER

Date : 26.07.2024

Heard Mr. T. Torum, learned counsel for the applicant, who has filed this instant application under Section 389 (1), R/w 482 of Cr.P.C praying for release of the petitioner on bail and suspension of the sentenced order dated 04.06.2024 passed by the learned Special Court POCSO in its order dated 04.06.2024, wherein, the Special Court POCSO in Case of State (Suo Moto) vs. Smti Meya Taku had taken up the case as POCSO Case No. 07/2024 in connection to Seppa W.P.S. Case No. 05/2024 under Section 22(1) of POCSO Act and convicted the petitioner to undergo simple imprisonment for 3(three) months.

The learned counsel for the petitioner submits that the petitioner is innocent of the charged made out under Section 22(1) of POCSO Act and there are sufficient grounds for quashing the impugned conviction order. He submits that the petitioner is at present facing much hardship and is being sent to jail on 04.06.2024 and prayed that he may be granted bail by suspending the conviction and sentenced order.

Ms. T. Jini, learned Additional Public Prosecutor for the State has not raised any objection.

In view of above, as prayed for, the accused is allowed to be released on bail with a bail bond of Rs. 10,000/- (Rupees Ten thousand) with one surety of like amount who shall be to the satisfaction of the learned Special Court, POCSO, East Kameng/West Kameng, Tawang District, Arunachal Pradesh by suspending the operation of the impugned conviction and sentence of the applicant vide Judgement and order dated 04.06.2024 in Case of State (Suo Moto) vs. Smti Meya Taku had taken up the case as POCSO Case No. 07/2024 till the disposal of Crl.Rev.P. No. 07(AP)/2024.

Accordingly, the I.A(Crl) No. 60(AP)/2024 is allowed and stands disposed of.

JUDGE

Comparing Assistant