

GAHC040009412024



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

Case No. : AB/110/2024

Dipankar Nath
Son of Shri Jadumoni Nath, KB Road, PO and PS North Lakhimpur, Lakhimpur
District, Arunachal Pradesh

VERSUS

The State of Arunachal Pradesh
represented by the Special PP (SIT)

Advocate for the Petitioner : Gallen Taloh, D Nath

Advocate for the Respondent : J Tsering, SC SIT

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 13-12-2024

Heard Mr. G. Taloh, learned counsel for the applicant. Also heard Mr. J. Tsering, learned Special Public Prosecutor for the SIT.

2. At the outset, it is to be noted that the present application is being considered under Section 482 of the BNSS, 2023.

3. The present application praying for pre-arrest bail has been so instituted in connection with Crime Branch Police Station Case No.

13/2021, under Sections 153/153-A/500/505/506/34 of the IPC, 1860.

4. The said case was so registered, basing on an F.I.R. submitted by one *Shri Nabam Dodum*, President, ANSU on 25.11.2021. It is found that on receipt of the said F.I.R., an enquiry was carried out and basing on the said enquiry, the above noted Crime Branch case came to be so instituted. The materials available in the bail application reveals that basing on the same allegation, another F.I.R. was so instituted before the North Lakhimpur Police Station, which was so registered as North Lakhimpur Police Station Case No. 1264/2021, under Sections 153/153-A/500/505/506/34 IPC.

5. It is submitted at the Bar that the offence involved in both the cases are one and the same.

6. In view of the above position, this Court is of the considered view that the applicant herein, is entitled to be extended with the privilege of pre-arrest bail and accordingly, in the event of his arrest in connection with the Crime Branch Police Station Case No. 13/2021, under Sections 153/153-A/500/505/506/34 of the IPC, 1860, he shall be released on bail on furnishing a bail bond of Rs. 5,000/- with one surety of like amount to the satisfaction of the arresting authority, subject to the following conditions:

(i). That the applicant shall co-operate in the investigation of the case and appear before the Investigating Officer as and when called for.

(ii). That the applicant shall not directly or indirectly make

any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts either to the Police officer or to the Court.

7. The anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant