

GAHC010149032024



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

Case No. : Bail Appln./2239/2024

KHAIGOULEN KIPGEN
S/O HENSAT JIPGEN, R/O GAMNGAI, P.S.-SAPORMEINA, DIST- KANGPOKPI,
MANIPUR

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR S E M AHMADIA, MR A SHAH
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

10.09.2024

Heard Mr. S. E. M. Ahmadia, learned counsel appearing for the accused petitioner as well as Mr. B. Sarma, learned Addl. P.P., Assam appearing for the State respondent No.1 and Mr. S. Hoque, learned counsel appearing for respondent No.2.

By filing this petition under Section 439 of the Cr.P.C, the accused-petitioner, namely, **Khaigoulen Kipgen**, has prayed for grant of bail in connection with **STF P.S. Case No.09/2024** under Sections **121 IPC, R/W Section 16/17/18 of UA(P) Act.**

It is submitted by the learned counsel for the petitioner that the petitioner has been languishing in judicial custody for last 77 days since his arrest on 14.07.2024. It is also submitted by the learned counsel for the petitioner that the petitioner is a photographer/videographer by profession and he has attended several film festivals and also received several accolades. Considering the dignity of the petitioner as well as length of detention, prayer for bail may be considered.

On the other hand, Mr. Sarma, learned Additional Public Prosecutor has produced the case diary and submitted that around ten numbers of batteries used for drone was recovered from the possession of the accused petitioner. The case diary shows that the petitioner is very much involved in the instant case. It is further submitted that the petitioner is not at all co-operating with the investigation and at this stage, granting of bail to the petitioner may hamper further investigation of the case. Hence, learned Additional Public Prosecutor prays for dismissal of bail application.

I have considered the submission of learned counsel for the parties as well as perused the case diary. Perusal of case diary reveals sufficient incriminating material against the present petitioner. It also reflects from the case diary that the accused petitioner is not co-operating with the investigation.

The allegation against the petitioner is that he used to supply intelligent Flight Batteries to be used in drone to the terrorist organization. The case diary also reveals that investigation is still pending and I/O has prayed for extension of time for further investigation of the case. The recent drone attack in Manipur killed two persons and injured several people, which is a serious threat to the society at large.

Considering the matter in its entirety, this Court is not inclined to grant bail

to the petitioner.

Accordingly, the bail application stands rejected.

This bail application stands disposed of.

Return the case diary.

JUDGE

Comparing Assistant