



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

Case No. : Bail Appln./21/2024

SHRI AMENTO ZHIMO
S/O VIHETO ZHIMO
RELATIVE OF THE ACCUSED NO. 1 AND WELL
WISHERS OF ACCUSED NO. 2 AND 3
AFDDRESS- KHAGHABOTO TOWN
NIULAND NAGALAND

VERSUS

THE STATE OF NAGALAND
NAGALAND KOHIMA

Advocate for the Petitioner : VINNOKA ACHUMI, NISUKA CHISHI

Advocate for the Respondent : P.P, NAGALAND,

**BEFORE
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

Date : 08.11.2024

Heard Mr. Vinnoka Achumi, learned counsel for the petitioner. Also heard Mr. K. Angami, learned Public Prosecutor for the State respondent.

This is an application under Section 483 of the

BNSS Act, 2023, for granting regular bail to the accused persons, i.e. 1. Shri. Nometo Yepthomi, 2. Shri. Thsanso Yim and 3. Shri. Hussain Ahmed, who were arrested on 13.08.2024 in connection with Niuland PS Case No.24/2024 registered under Section 140(2)/3(5) BNS.

The case of the prosecution is that on 13.08.2024, an FIR was lodged by one Shri. Ahokhe Chishi, Chairman of Lotovi Village Council before the Officer-in-Charge of Niuland Police Station alleging that one Mr. Salman has been kidnapped by four unknown miscreants who happened to come from white Alto (Car) thereafter demanded a ransom of Rs. 2,00,000/-.

Mr. Vinnoka Achumi, learned counsel for the petitioner, submits that the matter has been charge-sheeted on 27.08.2024 by Charge-sheet No.11/2024.

He further submits that after 2 (two) days of the charge-sheet, a compromise was executed between the complainant, i.e. Shri. Ahokhe Chishi, the victim i.e. Mr. Salman and the 3 (three) accused persons including the petitioner.

He further submits that the petitioner is innocent and due to misunderstanding, the present case has been lodged, which has now been compromised.

Per contra, Mr. K. Angami, learned Public Prosecutor for the State respondent, submits that there are materials available in the case diary incriminating the

petitioner for the offence alleged.

However, he fairly submits that he has no instructions as regards the antecedent of the petitioner.

I have heard the learned counsel for the contesting parties and perused the material available on record.

It appears that pursuant to the FIR lodged, the victim was recovered and upon conclusion of the investigation a charge-sheet was submitted on 27.08.2024.

It appears that pursuant to the submission of charge-sheet, a compromise has been executed on 29.08.2024 between the informant, victim and the accused persons including the petitioner.

It further appears that the investigation is completed and the petitioner has been languishing in jail since last 88 days.

In view of the length of detention and the facts and circumstances of the case, this Court is of the considered view that further detention of the petitioner is not justified.

Considering the facts and circumstances of the case, it is provided that the petitioner, named above, shall be released on bail in connection with the above noted case on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) only with one surety of like amount

to the satisfaction of the learned District & Session Judge,
Dimapur.

The bail granted to the petitioner shall be subject
to the following conditions.

- i) The petitioner shall co-operate with the investigation,
- ii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case so as to dissuade such person from disclosing such facts to the Court or to any Police Officer; and
- iii) The petitioner shall refrain from such activities with which he is alleged, failing which, bail orders shall stand cancelled.

With the above observation, this bail application
stands allowed.

This disposes of the bail application.

JUDGE

Comparing Assistant