GAHC040016392026

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

Case No. : AB/132/2026

Kimar Ete
Son of Late Minki Ete, resident of Village Bene, PO and PS Aalo, West Siang District, Arunachal Pradesh.

VERSUS

The State of AP
through the PP of ACB

Advocate for the Petitioner : Lukter Jilen, Geba Lomi,Mitem Ratan

Advocate for the Respondent : Ojing Pada, SC (ACB)

BEFORE

HON'BLE MR. JUSTICE NELSON SAILO

O R D E R

07.10.2026

Heard Mr. L. Jilen, learned counsel for the applicant, who submits that by filing this application under Section 482 of the BNSS, 2023, the applicant seeks grant of pre-arrest bail since he apprehends his arrest in connection with ACB PS Case No.08/2026. Learned counsel submits that the applicant had received the summon/notice dated 24.09.2026 in connection with the allegation or complaint made against him. The petitioner being a Diabetic and also having undergone Heart surgery,

apprehending his arrest on his appearance before the Investigating Officer of ACB PS Case No.08/2026 in Itanagar, has filed the instant application seeking grant of pre-arrest bail.

2. On 29.09.2026, this Court while issuing notice, had called for a scanned copy of the Case Diary. Today, Mr. O. Pada, learned Special Public Prosecutor, ACB has produced the scanned copy of the Case Diary and he submits that the complaint made against the petitioner is with regard to siphoning of more than Rs.12,00,000,00/- (Rupees twelve crores) while working as a Branch Manager in the Apex Bank, Aalo, West Siang District. He also submits that for the purpose of proper investigation, the petitioner was to be arrested, but upon conducting medical examination, it was found that he was not fit for travelling to Itanagar. He was therefore, allowed to go without further detention. Learned Special Public Prosecutor however, submits that in order to get to the bottom of the investigation, co-operation from the applicant is required and without such co-operation, the ACB will have no option, but to secure his presence by arresting him.

3. On the other hand, learned counsel for the applicant submits that the applicant is ready to extend full co-operation in the investigation and it is only on account of his ill health that he is unable to travel to Itanagar. That he is also a local resident of Bene village in West Siang district and there is no possibility of him absconding and fleeing from the investigation.

4. I have considered the submissions made by the learned counsel for the rival parties.

5. Learned Special Public Prosecutor has fairly submitted that

considering the health condition of the applicant, if the applicant is ready to extend full co-operation in the matter, custodial interrogation may not be necessary.

6. In that view of the matter, the following directions are passed:-

(i) The applicant shall appear before the Investigating Officer of ACB PS Case No.08/2026 in Itanagar within a period of two weeks from today and on his appearance and in the event of his arrest, he shall be released on bail upon executing a bond of Rs.50,000/- (Rupees fifty thousand) with one local surety of the like amount subject to the further condition that the applicant shall not hamper with the investigation and shall extend full co-operation.

(ii) The applicant shall not influence the witnesses in the investigation process.

(ii) If the applicant is further required in the investigation, the Investigating Officer may make necessary arrangement for his interrogation in the place where he resides considering his medical condition.

7. With the above observations and direction, the anticipatory bail application stands disposed of as allowed.

JUDGE

Comparing Assistant