GAHC040016402026

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

Case No. : AB/133/2026

Ritupan Sharma
Son of Prabhat Sharma, resident of Village Thekachu PT-1 Dudhnoi, PO Dudhnoi, PS Dudhnoi, Goalpara District, Assam 783124

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : Signal Yirang,

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 08.10.2026

Heard Dr. P. P. Medhi, learned counsel for the petitioner through RVC. Also heard Ms L. Hage, learned Additional Public Prosecutor for the State.

2. On 29.09.2026, the Court passed the following orders: -

" Heard Mr. P. P. Medhi, learned counsel for the appellant and Ms. L.

Hage, learned Additional Public Prosecutor for the State.

2. By filing this application under Section 482 of the BNSS, 2023, the applicant seeks grant of pre-arrest bail apprehending his arrest in connection with Cyber Crime P.S. Case No. 06/2026 under Sections 78/77/294 of the BNS, 2023 read with Sections 67/67A of the IT Act 2000 and Section 6 of the Indecent Representation of Women Prohibition Act, 1986.

3. The case of the applicant is that, on 03.03.2026, the Officer-in-Charge, Cyber Crime Branch, Itanagar, received a complaint regarding the unauthorized circulation of private photographs and videos on Telegram without the consent of the informant. Based on the said complaint, the aforesaid Cyber Crime P.S. Case No. 06/2026 was registered.

4. It is submitted that the applicant was taken to Dudhnoi Police Station and has already given his statement. However, on 17.09.2026, the Officer-in-Charge, Cyber Crime Branch, PHQ, Itanagar, again issued a notice under Section 35(3) of the BNSS, requiring his presence before the I.O. of the case on 30.09.2026. Mr. Medhi, learned counsel for the applicant, submits that the applicant is innocent, however, since, even after the recording of his police statement, he has been issued a notice directing him to appear before the I.O. of the case, he has a reasonable apprehension that he may be arrested in connection with the aforesaid Cyber Crime Police Station case. He further submits that the applicant has cooperated and is ready to cooperate the I.O. of the case for investigation and shall abide by any conditions to be imposed by this Court.

5. Issue notice.

6. Call for the scanned copy of the Case Diary.

7. List this matter again on 05.10.2026.

8. In the meantime, pending production of the Case Diary, in the event of applicant being arrested in connection with the aforesaid Cyber Crime P.S.

Case No. 06/2026, he shall be released on interim anticipatory bail on furnishing a bail bond of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of like amount, one of which shall be a resident of State of Arunachal Pradesh, to the satisfaction of the arresting authority, subject to the following conditions:

i. that the accused/applicant shall appear before the investigating officer within 7 (seven) days from today and thereafter, as and when called for;

ii. that the accused/applicant shall not directly or indirectly make any inducement, threat or promise to any person, who may be acquainted with the facts of the case, so as to dissuade such person from disposing such facts before the investigating authority against the accused applicant;

iii. that the accused/applicant shall not directly or indirectly attempt to hamper with the investigation and tamper with the evidence of the case in any manner.

iv. that the accused/applicant shall not leave the State of Arunachal Pradesh without prior intimation to the I.O. of the Case."

3. Thereafter, the matter was listed on 05.10.2026 and 07.10.2026. On 07.10.2026, the matter was adjourned to enable the learned Additional Public Prosecutor, Ms L. Hage to obtain necessary instructions in the matter. Today, the learned Additional Public Prosecutor has produced the progress of the investigation submitted by the case of the I.O. which is to the effect that the petitioner on 05.10.2026 appeared before the O.C. of Cyber Crime Police Station, Itanagar and he cooperated with the investigation.

4. Ms L. Hage, learned Additional Public Prosecutor however, submits that on earlier occasion, the petitioner had failed to appeared when he was asked to do so and therefore, the Court may pass stringent condition if the ad-interim pre-arrest bail is allowed to be continued.

5. Dr. P. P. Medhi, learned counsel for the petitioner, on the other hand, submits that the petitioner is ready to fully cooperate with the investigation and he has no intention to interfere with the investigation process. He also submits that the petitioner was available in Itanagar up till yesterday for investigation and he has left for his home town with due permission of the case of the I.O.

6. Considering the above, this Court is inclined to make the ad-interim bail granted to the petitioner absolute. Accordingly, the interim pre-arrest bail granted vide order dated 29.09.2026 is hereby made absolute, however, with the further condition that the petitioner shall make himself available as and when he is summoned by the I.O of the case and failure to do so shall entail cancellation of the bail. This apart, the other 4(four) conditions as laid down vide order dated 29.09.2026 as abstracted herein above shall also remain.

7. The anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant

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Digitally signed by TAGE BUNYI
Date: 2026.10.08 17:47:35 +05'30'