GAHC040017882026

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

Case No. : AB/143/2026

Gingma Tok
aged about 59 years, S/o Late Tahi Tok, permanent resident of Palov village, PO/PS Pakke Kessang (Lemmi) District Pakke Kessang, AP, presently residing at Lower Bazaar, Kessang, District Pakke Kessang, AP

VERSUS

THE STATE OF AP and Anr.
represented by the Public Prosecutor, AP

Advocate for the Petitioner : Mary Howrangbam, D Gogoi,A Bora

Advocate for the Respondent : P P of AP, M Ranka,B Tagia,Tajum Gameh

BEFORE
HONOURABLE MR. JUSTICE SANJEEV KUMAR SHARMA

ORDER

16.11.2026

Heard Mr. A. M. Bora, learned Senior Counsel, assisted by Ms. Mary Howrangbam, for the applicant. Also heard Mr. D. Loyi, learned Public Prosecutor, appearing for the State, as well as Mr. T. Gameh, learned

counsel for the informant.

1). This is an application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying for grant of anticipatory bail in connection with Lemmi Police Station Case No. 05/2026 under Sections 143(2), 146, 75(2), 115(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Section 10 of the Protection of Children from Sexual Offences Act, 2012 and Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

2). As per the FIR, the father of the victim girl gave her to the applicant when she was approximately about 5 years old for an amount of about ₹. 1,50,000/-. However, she was deprived of schooling, made to perform domestic work, and subjected to molestation and physical abuse by the applicant.

3). Learned counsel for the applicant submits that the victim girl, who has attained the age of majority was having a love relationship with a boy from another village, which resulted in her pregnancy. Upon the same being objected to, the present FIR making false allegations has come to be lodged.

4). It is stated that as per the bonafide knowledge of the applicant, the Respondent No. 2 has also submitted an application to the Assistant Director of Economics and Statistics seeking correction of the "date of birth" from 30.12.2011 to 09.08.2007 as earlier wrongly recorded in Birth Registration No. PKSG/1025/17, issued on 08.11.2017. On the basis of the said application of the Respondent No.2, a proceeding was taken up on 13.10.2026 in the Office of the Deputy Commissioner cum District

Registrar of Births & Deaths of Pakke Kessang district. A Board was constituted where the Deputy Commissioner cum District Registrar of Births & Deaths presided as the Chairman. The Assistant Director of Economics and Statistics cum Additional District Registrar of Births & Deaths, Assistant Registrar of Births & Deaths and Senior Statistical Officer comprised as the Board Members. During the hearing of the proceeding, the respondent no.2 alongwith her biological mother, District Registrar of Births and Deaths of Pakke Kessang district, Gaon Burah, Chairperson of Gram Panchayat, Head Master of Govt. Primary School, Palov were also present. The Board after considering the testimonies of the applicant and other concerned persons and also after perusing the materials on record, came to a considered opinion that the applicant claims to be 19 years and her date of birth is 09.08.2007. The proceeding of hearing was signed and sealed by the Deputy Commissioner cum District Registrar of Births & Deaths of Pakke Kessang district vide dated 14.10.2026.

5). The Case Diary has been forwarded by the Investigating Officer (I.O.), stating that the accused applicant is regularly appearing before the Police Station and extending his cooperation with the ongoing investigation, and that his conduct demonstrates his willingness to cooperate with the investigation.

6). Having regard to the above, as well as the nature of the allegations, custodial interrogation of the applicant may not be necessary. Accordingly, the prayer for pre-arrest bail is allowed. The order of interim pre-arrest bail dated 27.10.2026 is hereby made absolute, upon the condition that the applicant shall continue to cooperate with the investigation, appear before the Investigating Officer as and when required, and shall not make

any threat, inducement, or promise to any person acquainted with the facts of the case.

7). The bail application stands allowed and disposed of.

JUDGE

CHECKED & VERIFIED

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