GAHC040021392025

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

Case No. : AB/178/2025

Chipu Don
aged about 44 years, S/o Lt. Tachi Don, permanent resident of Don village, PO/PS Raga, Kamle District, AP

VERSUS

THE STATE OF AP
represented by the PP of AP

Advocate for the Petitioner : Khoda Tari, Larje Soki,Taya Don,Himat Richo

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 24-12-2025

Heard Mr. K. Tari, learned counsel for the applicant and Mr. T. Ete, learned Additional Public Prosecutor for the State.

2. This is an application under Section 482 of the BNSS, 2023 praying for granting pre-arrest bail to the accused applicant in connection with Raga P.S. Case No. 33/2025 under Section 324(2) of the BNS, 2025 read with Sections 136(2)(B) and 3 of the PDPP Act.

3. The FIR dated 17.12.2025 was filed by Shri Goi Nyodu, Presiding Officer, 54 Chiikom VI, before the Raga Police Station, alleging that the accused applicant, who was a BJP polling agent, deliberately poured cold drinks into the ballot box kept inside the polling booth. On receipt of the FIR, the police registered Raga P.S. Case No. 33/2025 under the aforementioned sections.

4. Mr. Tari, learned counsel appearing for the accused applicant, submits that the election is already over and the results have also been declared. He further submits that there was no damage to public property as alleged in the FIR. However, the accused applicant is apprehending arrest as the police visited his residence enquiring about him. In view of the aforesaid, he submits that since the accused applicant is ready to cooperate with the investigation, he should be allowed to go on bail at this stage.

5. Mr. T. Ete, learned Additional Public Prosecutor for the State, submits that the election is already over and the results have already been declared; therefore, custodial detention of the accused applicant may not be required in the instant case.

6. Taking into account the submission made by the learned counsel appearing for the respective parties as well as going through the materials brought before this Court, this Court is of the considered opinion that this is a fit case wherein the accused applicant should be given the privilege to go on pre-arrest bail at this stage.

7. Accordingly, it is directed that in the event of arrest of the accused applicant, namely **Shri Chipu Don**, by the investigating officer in connection with Raga P.S. Case No. 33/2025, the accused applicant shall be released on furnishing a bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with one

surety of the like amount to the satisfaction of the arresting authority, subject to the following conditions:

i. The accused applicant shall appear before the investigating officer within a period of ten (10) days from the date of passing of this order;

ii. The accused applicant shall cooperate with the investigation and make herself available as and when called for by the investigating officer;

iii. The accused applicant shall not hamper or tamper with the investigation of the case in whatsoever manner.

8. accordingly, the instant bail application stands disposed of as allowed.

JUDGE

Comparing Assistant