GAHC040016032026

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

Case No. : AB/129/2026

Shakti Kumar
Son of Shree Sahni, resident of Ward No.6, Post Naya Gaon, Kesariya Village, East Champaran, Bihar 845424 and present address Lekhi Village, Naharlagun, PO and PS Naharlagun, Papum Pare District, Arunachal Pradesh.

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : Gautam Phukan,
Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 14.10.2026

Heard Mr. G. Phukan, learned counsel for the applicant and Ms. L. Hage, learned Additional Public Prosecutor, Arunachal Pradesh for the State respondent.

[2.] This is an application filed by the applicant, under Section 482 of the BNSS, 2023 seeking grant of pre-arrest bail, since the applicant apprehends his arrest in connection with Chimpu P.S. Case No. 89/2026 registered under Section 316(4)/318(4)/336(3)/340(2)/344/61 of the BNS, 2023.

[3.] This Court on 28.09.2026, while issuing notice had granted the applicant a pre-arrest protection as an interim measure subject to the condition that he appears before the case Investigating Officer within a period of seven (7) days from the date of the order and cooperate with the investigation. The applicant, accordingly, appeared before the Investigating Officer on 13.10.2026 and his statements were recorded.

[4.] Ms. L. Hage, learned Additional Public Prosecutor, has produced a copy of the statements recorded on 13.10.2026 and submits that since the investigation is still going on, further recording of statements and cooperation from the applicant is necessary.

[5.] The learned counsel for the applicant submits that the applicant is residing in Lekhi village along with his family members and he is a businessman. He submits that the applicant, therefore, will cooperate with the investigation and has no intention of tempering with the evidence or influencing the witnesses of the case. He, therefore, submits that the applicant may be granted the anticipatory bail as sought for by him.

[6.] I have heard the submissions made by the learned counsel for the rival parties and perused the materials available on record including the Case Diary produced by Ms. L. Hage, learned Additional Public Prosecutor.

[7.] Admittedly, the applicant appeared before the Case Investigating Officer on 13.10.2026 and on which date his statements have been recorded. However, as submitted by the learned Additional Public Prosecutor, the applicant's investigation is still yet to be completed and, therefore, having regard to the nature of allegations and the sections involved, further cooperation from the

applicant appears to be necessary. However, having regard to the fact that the applicant resides in Lekhi Village along with his family members, this Court is of the view that the applicant should be granted anticipatory bail as sought for by him.

[8.] It is herein provided that in the event of his arrest, the applicant shall be released upon his furnishing of bail bond of Rs.50,000/- with one local surety to the satisfaction of the Investigating Authority and subject to the following conditions that the applicant shall continue to appear before the Investigating Officer and cooperate with the investigation till completion of the entire investigation. The applicant shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer, nor, shall he tamper with the evidence. The applicant shall not indulge in any activity which would either, hamper, or, hinder the investigation of the case. The applicant shall also not leave the State of Arunachal Pradesh without informing the Case Investigating Officer about his whereabouts along with complete address and contact number.

[9.] With the above observations and directions, the anticipatory bail application stands disposed of as allowed.

[10.] The Case Diary, produced by Ms. L. Hage, learned Additional Public Prosecutor, shall be returned back.

JUDGE

Comparing Assistant