GAHC040016592026

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

Case No. : BA/94/2026

Smti Menja Keche
Wife of Shri Sanjay Meto, resident of Bhismaknagar Village, PO and PS Roing,
Lower Dibang Valley District, Arunachal Pradesh.

VERSUS

The State of AP and Anr
represented by the PP of AP 2:Miss XYZ
Age: 0
Occupation :
victim in Roing PS Case No. 47/2026
C/o Miss Chena Keche
Mayu-I Village
PO and PS Roing
Lower Dibang Valley District
Arunachal Pradesh 79211

Advocate for the Petitioner : Duge Soki, Moken Lollen,Terjum Nima

Advocate for the Respondent : P P of AP, Techi Topu,Logsang Yountan,Jambey Tsering Kee

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 14.10.2026

Heard Mr. D. Soki, learned counsel for the petitioner. Also heard Mr. T. Ete, learned Additional Public Prosecutor for the State and Mr. J. Tsering

Kee, learned counsel for the respondent No.2.

2. By filing this bail application under section 483 of the BNSS, 2023, the petitioner prays for grant of bail to the accused person, who was arrested in connection with Roing P.S. Case No. 47/2026 registered under Section 75(3)/65(1) of BNS, 2023 read with Section 4(2)/6/10/12 of the POCSO Act. The learned counsel submits that the accused person was arrested on 11.09.2026 from his residence but from the records of the Chief Judicial Magistrate, there is nothing to show that any arrest memo was prepared at the time of his arrest. The learned counsel submits that the accused person is innocent and pending further investigation, the accused person may be released on bail.

3. Mr. T. Ete, learned Additional Public Prosecutor for the State has produced the case diary and he has drawn the attention of this Court to the statement of the victim recorded under Section 183 of the BNS wherein, the victim has decline to say anything except saying that no wrong has been committed upon her.

4. Mr. J. Tsering Kee, learned counsel for the respondent No.2 also submits that the victim has sought for withdrawal of the FIR by submitting the application on 07.10.2026 on the ground that it was solely under certain misunderstanding between her, and her elder sister and brother-in-law that the complaint was registered at the instance of Child Welfare Committee. According to the alleged victim, she did not visualise that the teacher of the school will inform the Child Welfare Committee members and thereafter, a case would be registered against her brother-in-law. Having realised the consequences of that, she has submitted an

application for withdrawal of the case before the POCSO In-charge of the Roing police station. To support his submission, the learned counsel refers to the affidavit filed by the respondent No.2 in the instant bail application.

5. Having regard to the above projections and on perusal of the materials available on record including the case diary, the Court is of the considered view that the accused person should be allowed to go on bail.

6. Accordingly, the accused person shall be released on bail upon his furnishing of bail bond of Rs. 30,000/- with one local surety of like amount to the satisfaction of the learned Special Judge (POCSO), Tezu. The bail is also granted with the further condition that the accused person shall not tamper with the evidence nor try to influence the witnesses in the matter. The accused person shall also make himself available before the I.O. as and when he is called to do so. The accused person shall also not leave the State of Arunachal Pradesh without informing the I.O of the case about his whereabouts with proper address.

7. The bail application accordingly stands disposed of.

8. Case diary be returned back to the learned Additional Public Prosecutor.

JUDGE

Comparing Assistant

CHECKED & VERIFIED

Digitally signed by TAGE BUNYI
Date: 2026.10.14 16:48:32 +05'30'