

GAHC040000912023



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

Case No. : AB 4/2023

1:Techi Changriang
S/o Late Techi Tadang,
a Resident of Village Borum, PO Naharlagun, PS Papu Hill, District Papum Pare,
Arunachal Pradesh.

VERSUS

1:THE STATE OF AP
Through Public Prosecutor.

Advocate for the Petitioner : Regum Nabam

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MR. JUSTICE NANI TAGIA

ORDER

Date : 31.01.2023

Heard Mr. R. Nabam, learned counsel for the petitioner. Also, heard Ms. T. Jini, learned Additional P.P. for the State.

2. This pre-arrest bail application, under Section under Section 438 of the Code of Criminal Procedure, 1973 has been filed by the petitioner, apprehending arrest in connection with Papu Hill P.S. Case No. 03/2023

registered under Section 380 of the Indian Penal Code *read with* Section 3 of the PDPP Act.

3. The aforesaid Papu Hill P.S. Case No. 03/2023 was registered on an F.I.R. dated 16.01.2020, lodged by the District A.H & Vety. Officer, Papumpare District, Yupia before the Officer In-charge of the Police Station, Naharlagun (which was subsequently transferred to Papu Hill Police Station) against the petitioner alleging illegal dismantling of VAC office building at Borum on 10.01.2023.

4. This Court, by an order dated 25.01.2023, while granting the petitioner the privilege of interim pre-arrest bail in connection with Papu Hill P.S. Case No. 03/2023 had called for the Case Diary. Case Diary called for has been produced by the learned Additional P.P. Ms. T. Jini.

5. Perusal of the Case Diary produced indicates that there are evidences indicating involvement of the petitioner in dismantling as well as stealing of the office furniture of VAC office building at Borum.

6. At this stage, Mr. R. Nabam, learned counsel for the petitioner fairly submits that the petitioner is willing and ready to voluntarily restore/reconstruct the dismantled VAC office building at Borum as it stood earlier within a period of 4(four) months from today and prays for making the interim pre-arrest bail granted to the petitioner on 25.01.2023 absolute to enable him to do the needful in restoring/reconstructing the VAC office building at Borum within the time mentioned hereinabove.

7. In view of the submissions made as above by the learned counsel for the petitioner, this anticipatory bail application is disposed of by making the

interim pre-arrest bail granted to the petitioner on 25.01.2023 absolute, subject to the following conditions:-

1. That the petitioner shall restore/reconstruct the VAC office building at Borum as it stood earlier within a period of 4(four) months from today;
 2. That the petitioner shall co-operate with the investigating agency in investigation of the case;
 3. That the petitioner shall in no way hamper or tamper with the evidence(s) relating to the said case;
 4. That the petitioner shall by no means intimidate/threaten the informant(s) and the witnesses of the said case.
8. Failure to comply with any of the conditions stipulated hereinabove or violation of the conditions stipulated hereinabove, more particularly, the condition No.1; the pre-arrest bail granted to the petitioner by this order shall stand automatically vacated on expiry of 4(four) months from today.
9. Anticipatory bail application stands disposed of in terms above.

Case Diary be returned.

JUDGE

Comparing Assistant