

GAHC040000622024



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

**Case No. : AB/15/2024**

Tase Paktung

Son of Late Tagia Paktung, Paktung village, PO Taliha, Upper Subansiri District, AP  
and presently residing at D Sector Naharlagun, PO Naharlagun, Papumpare District,  
AP

VERSUS

The State of AP  
represented by the PP of AP

**Advocate for the Petitioner : K L Nayam**

**Advocate for the Respondent : P P of AP**

**BEFORE  
HONBLE MRS. JUSTICE MITALI THAKURIA  
ORDER**

**31.01.2024**

Heard Mr. K. L. Nayam, learned counsel for the applicant. Also heard Mr. T. Ete, learned Additional Public Prosecutor for the State respondent.

This is an application under Section 438 of the Code of Criminal Procedure, 1973, praying for grant of pre-arrest bail to the accused/ applicant, who is apprehending arrest in connection with Daporijo P.S. Case No. 64/2023, under Sections 406/420 of the Indian Penal Code.

The Case Diary has been received and I have perused the same.

It is submitted by the learned counsel for the applicant, Mr. K. L. Nayam, that after obtaining the interim pre-arrest bail, the applicant appeared before the I.O. and co-operated in the investigation of this case. He further submits that the entire dispute is of civil in nature which arose due to some misunderstanding between the parties. More so, as he has already co-operated with the I.O. as well as he is ready to pay the balance amount as mentioned in the agreement and also considering the nature of offence, his custodial interrogation is not at all necessary in this case and accordingly, it is prayed to make the interim pre-arrest bail order absolute.

In this context, the learned Additional Public Prosecutor, Mr. T. Ete, has submitted that the applicant has already appeared before the I.O. and he co-operated in the investigation of the case. He also submits that the case is civil in nature as well as the present applicant is willing to pay the balance amount as per the agreement before the I. O. Accordingly, it is submitted by the learned Additional Public Prosecutor that the custodial interrogation of the accused/applicant may not be necessary in this case and raised no objection in allowing the applicant to go on pre-arrest bail.

After hearing the submissions made by the learned counsels of both sides and also considering the entire aspects of the case, nature of allegation as well as the conduct of the accused/applicant, I find it a fit case to extend the privilege of pre-arrest bail to the accused/applicant. Accordingly, the interim pre-arrest bail order, granted to the accused/applicant vide order dated 22.01.2024, is hereby made absolute with a direction to the accused/applicant to co-operate with the I.O. in further investigation of the case.

In terms of above, this anticipatory bail application stands disposed of.

The Case Diary be sent back.

**JUDGE**

**Comparing Assistant**