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

Case No. : AB/704/2025

MIRANDA TEP
D/O KEGWACHU TEP,
PERMANENT RESIDENT OF 228, SIGNAL ANGAMI VILLAGE, P.O. AND
DIST. DIMAPUR, NAGALAND, -797112 AND PRESENTLY RESIDING AT 5,
YOGI PARA MAIN ROAD,
MANICKTALA, KOLKATA, WEST BENGAL-700006.

VERSUS

THE STATE OF ASSAM
REP BY THE LEARNED PP, ASSAM

Advocate for the Petitioner : MR. M PHUKAN, MR A N SARMAH

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : --27.03.2025

Heard Mr. M. Phukan, the learned counsel for the petitioner and also heard Mr. K.K. Das, the learned Additional Public Prosecutor appearing on behalf of State respondent.

2. This is an application u/s 482 of Bharatiya Nagarik Suraksha Sanhita

(BNSS), 2023 for granting pre-arrest bail to the accused petitioner in connection with Dispur P.S. Case No. 189/2025 u/s 318(4)/316(2)/316(4) of Bharatiya Nyaya Sanhita (BNS), 2023.

3. Mr. Phukan submitted in this regard that the present accused/petitioner is not involved in the alleged offence. It is a fact that during the relevant period of time he was an Assistant Branch Manager of Barbari Branch. But, during that period there were some defects/errors in functioning of the ATM machineries. Hence, there were some differences of money which was deposited or reported before the concerned authority. He further submitted that in that regard some correspondences were also made to the Branch Section regarding the errors in functioning the ATM machineries and the Department also taken steps in that regard. However, the present accused/petitioner is not called by the police till date nor he was searched for, nor he received any notice from the police. But, he being the Assistant Branch Manager during that time, he has the apprehension of being arrested in connection with the case. He is presently posted at Kolkata. However, he is ready and willing to co-operate with the Investigating Officer in further investigation of the case, if he granted the privilege of interim pre-arrest bail.

4. Mr. Das, the learned Additional Public Prosecutor submitted in this regard that the counsel for the petitioner fairly submitted that he is not searched by the police and not received any notice in this regard and thus there is no apprehension of arrest in connection with this case. Accordingly, he insisted to call for the Case Diary to know the actual fact of the case.

5. Considering the entire submissions made by the learned counsel for both sides and annexures filed with the petition and other aspects of the case, I find

it is a fit case to extent the privilege of interim pre-arrest bail to the present petitioner till receipt of the Case Diary.

6. Accordingly, it is provided that in the event of arrest of the accused/petitioner, namely, Miranda Tep , in connection with Dispur P.S. Case No. 189/2025 u/s 318(4)/316(2)/316(4) of Bharatiya Nyaya Sanhita (BNS), 2023, he shall be enlarged on pre-arrest bail on his executing a bond of Rs. 20,000/- (Rupees twenty thousand) only with one surety of like amount to the satisfaction of the arresting authority, subject to the following conditions:

- (i) that the petitioner shall make himself available for interrogation by the Investigating Officer within 7(seven) days.
- (ii) that the petitioner shall fully co-operate with the investigation of the case and shall appear before the Investigating Officer as and when required in connection with the investigation of the aforesaid P.S. case; and
- (iii) that the petitioner shall not, directly or indirectly, make any inducement, threaten or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

In the meantime, call for the Case Diary.

List the matter again on **25.04.2025.**

JUDGE

Comparing Assistant