

GAHC040000052026



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

Case No. : AB/1/2026

Michael Tajo
Son of Late Harku Tajo, resident of Niti Vihar, Itanagar, PO Bank Tinali, PS Niti
Vihar, Papum Pare District, Arunachal Pradesh.

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : Jambey Tsering Kee, Sibon Engti, Techhi Topu

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 19.01.2026

Heard Mr. J. Tsering Kee, learned counsel for the applicant. Also heard Ms. L. Hage, learned Additional Public Prosecutor for the State of Arunachal Pradesh.

2. This application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 has been filed praying for pre-arrest bail to the applicant in connection with Itanagar P.S. Case No. 185/2025, registered under Sections

126(2)/118(1)/324(3)/3(5) of the BNS, 2023.

3. By an interim order dated 05.01.2026, this Court had granted ad-interim bail to the applicant with the condition that he shall fully cooperate and appear before the I.O. of the case as and when called for, and that he shall not tamper with the evidence in any manner.

4. Today, when the matter comes up for hearing, the learned Additional Public Prosecutor has produced the updated Case Diary and has objected to the application on the ground that there is a *prima facie* case against the applicant and that he is a habitual offender. Moreover, the learned Addl. P.P. also submits that the applicant has failed to divulge information regarding the earlier cases in which he has been involved. The learned Addl. P.P. further submits that the applicant has appeared before the I.O., but has denied involvement in the case and has withheld vital information, thereby obstructing recovery and investigation in the present case. It is also submitted that even in the present petition, the applicant furnished false information by claiming that the I.O. of the case as well as the O.C. of the Itanagar Police Station had been repeatedly contacting the applicant's wife, calling her to secure the presence of the applicant before the police authorities on the ground that one of the arrested accused persons is alleged to be related to the applicant. The learned Addl. P.P. states that such a statement is false and, therefore, the applicant is also making false statements before this Court. The learned Addl. P.P., therefore, submits that this application may be rejected and that custodial interrogation of the applicant is required in the interest of justice.

5. This Court has considered the submissions of the learned counsel for the

parties. After the interim order was passed by this Court vide order dated 05.01.2026, it is not denied that the applicant has appeared before the I.O. and has been cooperating with the investigation. It is also not denied that the applicant is a permanent resident of Itanagar, and it is not expected that he will abscond or jump bail if the interim order is regularized. Therefore, this Court is of the view that the interim order passed on 05.01.2026 can be regularized at this stage. The interim order is made absolute and the application is allowed, however, subject to the following conditions:

- (i) that the applicant shall continue to cooperate with the investigation and shall appear before the I.O. of the case as and when summoned;
- (ii) that the applicant shall also reveal all necessary information with regard to the vehicle and the weapon of offence if it is within his knowledge, and shall also reveal any such information which is required by the Investigating Authorities, whatever is within the knowledge of the applicant;
- (iii) that the applicant shall not leave the jurisdiction of the Trial Court without the permission of the Court; and
- (iv) that the applicant shall not tamper with evidence or influence the victim as well as the witnesses in any manner.

6. With the above, the anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant