

GAHC040000062026



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

Case No. : AB/2/2026

Smti Toko Odi Daughter of Late Toko Heri, a permanent resident of Poru Village, PO
Yazali, PS Yachuli, Keyi Panyor District, Arunachal Pradesh.

VERSUS

The State of AP represented by the PP of AP

Advocate for the Petitioner : T T Tara, Khoda Apa,Taba Tokur,Terji Kamchi,Gamken Bam

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 07.01.2026

Heard Mr. Tadup Tana Tara, learned counsel, appearing on behalf of the accused applicant. Also heard Ms. L. Hage, learned Addl. Public Prosecutor, Arunachal Pradesh.

2. Apprehending her arrest in connection with **Wakka Police Station Case No. 03/2025**, registered under Sections 143(2)/108 of the Bharatiya Nyaya Sanhita, 2023, *read with* Sections 75/80/81 of the Juvenile Justice (Care and Protection of Children) Act, 2015; this anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been preferred by the accused applicant **Smt. Toko Odi**, praying for grant of pre-arrest bail.

3. The accused applicant is a government employee stated to be staying alone at Yazali, Arunachal Pradesh. According to the accused applicant, on request of her friend; she, on humanitarian consideration, took responsibility and facilitated the minor girl(victim) belonging to a poor family, for her education at Yazali. The child was admitted in the school in the year 2020 in Class V. Thereafter, she was admitted in the VKV School, NEEPCO, Yazali, and she continued her education upto Class X. It is asserted that all educational expenses were borne by the accused applicant.

4. It is contended that on 26.12.2025, on being informed by the school authorities, the child was brought back from school to the applicant's house and on the following day, the child left for Itanagar without informing the accused applicant on being facilitated by her elder sister. Suprisingly, on 28.12.2025, the accused applicant claims to have learnt, through social media that the child had committed suicide in the house of her cousin sister at Jollang, Itanagar.

5. In this regard, a suo moto First Information Report(FIR) was lodged by the Chairperson, Child Welfare Committee(CWC), Longding, at Longding Police Station.

6. As per the First Information Report(FIR), allegations have been made that the minor was illegally kept as a domestic helper/worker in the house of the accused applicant without following the due procedure and without informing/seeking permission from the CWC. The First Information Report(FIR) also alleged mental cruelty, illegal custody, child trafficking and exploitation. The involvement of the mother of the victim girl and illegal custody has also been alleged in the said FIR. The case was accordingly registered being **Wakka Police Station Case No. 03/2025**, registered under Sections 143(2)/108 of the Bharatiya Nyaya Sanhita, 2023, *read with* Sections 75/80/81 of the Juvenile Justice (Care

and Protection of Children) Act, 2015.

7. It is also contended that the police of Longding had visited the residence of the accused applicant at Yazali in her absence on 03.01.2026 and also on 06.01.2026 despite the incident having occurred outside their territorial jurisdiction. Therefore, the accused applicant apprehends her arrest in connection with the aforesaid police case. Hence, this bail application.

8. Initially, a copy of the First Information Report(FIR) was not furnished to the petitioner due to which it was not annexed with this bail application. However, on the directions of this Court; the learned Additional Public Prosecutor, Arunachal Pradesh, has now produced a copy of the First Information Report(FIR) before this Court and the same is taken on record. The learned Additional Public Prosecutor, Arunachal Pradesh, has also produced the status report.

9. On perusal of the contents of the First Information Report(FIR) as well as the status report of the case, it appears that the case is at the initial stage. The First Information Report(FIR) also disclose serious allegations which require a thorough investigation.

10. The learned Addl. P.P., Arunachal Pradesh, submits that the status report does not contain the detail of the case and therefore, she prays for some more time to produce the entire CD of the case before this Court for consideration of the bail.

11. Prayer is accepted.

12. However, considering the fact that the accused applicant is a government employee, there is no allegation of her being present in the place of death at Jollang, Itanagar, the custodial interrogation does not appear to be immediately necessary at this stage.

13. Accordingly, without expressing any opinion on the merit of the case, and considering the facts and circumstances of the matter; this Court is of the view that the accused applicant deserves privilege of interim protection at this stage.

14. In view of the above, in the event of arrest of the accused applicant, namely, Smt. Toko Odi, in connection with **Wakka Police Station Case No. 03/2025**, registered under Sections 143(2)/108 of the Bharatiya Nyaya Sanhita, 2023, *read with* Sections 75/80/81 of the Juvenile Justice (Care and Protection of Children) Act, 2015; she shall be released on interim anticipatory bail upon furnishing a bail bond of Rs. 50,000/-(Rupees fifty thousand) only with one surety of like amount to the satisfaction of the arresting authority, subject to the following conditions:

(i). that the accused applicant shall appear before the Investigating Officer of the case for recording of her statement within a period of 7(seven) days from today and thereafter, shall appear before the Investigating Officer as and when called for; and

(ii). that the accused applicant shall not, directly or indirectly, make any inducement, threat 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.

15. As prayed for by the learned counsels appearing for the parties; list the matter again on 23rd of January, 2026, on which date, the learned Additional

Public Prosecutor, Arunachal Pradesh, shall produce the updated CD before this Court.

JUDGE

Comparing Assistant